



Journal of the Senate

Number 12

Tuesday, May 13, 1986

PRAYER

The following prayer was offered by the Rev. Tim McNeil, Pastor, First Methodist Church, Madison:

Our Lord, we exist within two realms. Your city—the City of God and the cities of men and women.

For in your domain there is justice, mercy and peace. And in our domain there is brokenness—yet a striving toward these components of faith reflected in government and acted upon in truth.

We pray for these in whom voters have delegated power and responsibility for the establishment of laws to govern us all. Enable them to remain faithful to the calling of their high office, ever mindful of those in town and country—in inner city and rural outposts—that are bereft of power. We ask that their needs be heard over the concerns of those who are employed to influence that we may achieve an equality of presence before this chamber of law and hope.

We pray for this ever-changing state in which we live. Our petition is for the preservation of its beauty and its resources that we may be counted as good stewards of this peninsula of your creation. May the concerns of development, of commerce, and industry strive toward the highest standards of harmony with the delicate balances of nature that this land may not be gorged in the name of progress.

We pray for those who are entrusted with the responsibility of educating our future—our children, our youth, and our adults. We pray for educators, teachers, administrators, chancellors and trustees and presidents of our higher institutions of learning. Enable these who model and mold our tomorrows to discharge their duties with compassion and pride, laying continual foundations for self-esteem, and creating a thirst for knowledge. May we spare no expense for attaining these goals, yet do so with means that are compatible with the highest of standards.

We pray for those who are entrusted with the responsibility of carrying out the law, for its maintenance, and for its preservation; for policemen and women of local government, county, and state; for our courts, judges and lawyers, for plaintiff and defense; for all who are involved in the war against illegal drugs—for its sale and importation and distribution; for our prisons, that they may become places of restitution and rehabilitation.

Our God, you have entrusted to these and others the institutions of government and, likewise, you share your dominion with us. And because your presence fills the earth, all has been declared sacred. We pray that synagogues and churches may maintain and share their own sacred symbols, and maintain their prophetic voices. Combined with institutions of state, may we corporately point toward your signature upon creation, to claim your knowledge as the source of all wisdom, and even of law, as with the blowing of your breath you did create order to our chaos and move upon the face of the deep. Amen.

The Senate pledged allegiance to the flag of the United States of America.

CALL TO ORDER

The Senate was called to order by the President at 9:00 a.m. A quorum present—40:

Mr. President	Crawford	Gersten	Hill
Barron	Crenshaw	Girardeau	Jenne
Beard	Deratany	Gordon	Jennings
Castor	Dunn	Grant	Johnson
Childers, D.	Fox	Grizzle	Kirkpatrick
Childers, W. D.	Frank	Hair	Kiser

Langley	McPherson	Peterson	Thomas
Malchon	Meek	Plummer	Thurman
Mann	Myers	Scott	Vogt
Margolis	Neal	Stuart	Weinstein

Excused periodically: Senator Neal to work on the appropriations bill

REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Tuesday, May 13, 1986: SB 127, SB 98, SB 128, SB 85, CS for SB 97, CS for SB 183, CS for SB 873, SB 154, SB 161, SB 272, CS for SB 510, CS for SB 586, SB 579, SB 238, SB 40, SB 588, CS for SB 971, CS for CS for SB 325, SB 413, SB 371, SB 113, CS for SB 215, CS for SB 260, SB 327, SB 498, SB 570, CS for SB 504, SB 308

Respectfully submitted,
Kenneth C. Jenne, Chairman

The Committee on Agriculture recommends the following pass: SB 1202, HB 928

The Committee on Economic, Community and Consumer Affairs recommends the following pass: CS for SB 211, SB 1143 with 1 amendment

The Committee on Education recommends the following pass: SB 88, SB 106 with 1 amendment, SB 387, SB 573, SB 926, SB 1037

The Committee on Finance, Taxation and Claims recommends the following pass: SB 509, SB 578 with 4 amendments, SB 830, SB 929, CS for SB 1105, CS for CS for SB 167

The Committee on Judiciary-Civil recommends the following pass: SB 1017

The Committee on Judiciary-Criminal recommends the following pass: SB 1001, SB 1252 with 2 amendments, SB 457 with 3 amendments

The Committee on Natural Resources and Conservation recommends the following pass: SB 863 with 1 amendment

The Committee on Transportation recommends the following pass: SB 713 with 1 amendment, SB 1162 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

The Committee on Transportation recommends the following pass: SB 1048

The bill was referred to the Committee on Economic, Community and Consumer Affairs under the original reference.

The Committee on Agriculture recommends the following pass: SB 1257, HB 940

The Committee on Commerce recommends the following pass: SB 869

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 434, SB 954, SB 955, SB 783 with 2 amendments

The Committee on Education recommends the following pass: CS for SB 433 with 3 amendments, SB 805

The Committee on Judiciary-Civil recommends the following pass: SJR 171 with 1 amendment

The Committee on Natural Resources and Conservation recommends the following pass: SB 1154

The Special Master on Claims recommends the following pass: SB 67 with 2 amendments, SB 164, SB 231 with 1 amendment, CS for HB 176, CS for HB 230, CS for HB 252, HB 398, HB 596, CS for HB 857

The Committee on Transportation recommends the following pass: CS for SB's 126, 36 and 662 with 2 amendments

The bills contained in the foregoing reports were referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Agriculture recommends the following pass: SB 1240

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 795

The Committee on Education recommends the following pass: SB 354

The Committee on Judiciary-Criminal recommends the following pass: SB 832

The Committee on Natural Resources and Conservation recommends the following pass: SB 671

The Committee on Transportation recommends the following pass: SB 1015 with 2 amendments

The bills contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Judiciary-Criminal recommends the following pass: SB 817 with 1 amendment

The bill was referred to the Committee on Health and Rehabilitative Services under the original reference.

The Committee on Commerce recommends the following pass: SB 820

The Committee on Finance, Taxation and Claims recommends the following pass: CS for SB's 517, 407 and 540 with 4 amendments

The Committee on Judiciary-Criminal recommends the following pass: SB 1109

The bills contained in the foregoing reports were referred to the Committee on Judiciary-Civil under the original reference.

The Committee on Agriculture recommends the following pass: HB 349 with 3 amendments

The bill was referred to the Committee on Judiciary-Criminal under the original reference.

The Committee on Commerce recommends the following pass: SB 649, SJR 836

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 1152

The Committee on Judiciary-Civil recommends the following pass: SJR 437, SB 439

The Committee on Natural Resources and Conservation recommends the following pass: SB 666

The bills contained in the foregoing reports were referred to the Committee on Rules and Calendar under the original reference.

The Committee on Agriculture recommends the following pass: SB 1224, SB 1237, HB 930 with 2 amendments, SB 1246, HB 913, SB 1251 with 1 amendment, HB 909, HB 395

The Committee on Commerce recommends the following pass: SB 477, SB 689, SB 768 with 1 amendment, SB 902

The Committee on Economic, Community and Consumer Affairs recommends the following pass: SB 200, HB 144, HB 624, SB 717, CS for SB 792 with 1 amendment, SB 214

The Committee on Finance, Taxation and Claims recommends the following pass: SB 497 with 1 amendment, SB 575, SB 770

The Committee on Judiciary-Civil recommends the following pass: SB 253, SB 273 with 1 amendment, SB 275, SB 338 with 1 amendment, SB 367, SB 401 with 1 amendment, SB 424, SB 508, CS for SB 656, SB 890, SB 1115

The Committee on Judiciary-Criminal recommends the following pass: HB 65 with 1 amendment, HB 342, CS for SB 557, SB 714, CS for SB 767, SB 1057

The Committee on Natural Resources and Conservation recommends the following pass: SB 561 with 2 amendments

The Committee on Transportation recommends the following pass: SB 925, SB 1170, HB 43, HB 370

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Commerce recommends the following not pass: SB 29

The bill was laid on the table.

The Special Master on Claims recommends the following not pass: SB 160

The bill was referred to the Committee on Corrections, Probation and Parole under the original reference.

The Special Master on Claims recommends the following not pass: SB 136, SB 483, SB 693, HB 258, HB 394

The bills were referred to the Committee on Finance, Taxation and Claims under the original reference, pursuant to Rule 4.8.

The Committee on Agriculture recommends a committee substitute for the following: SB 1206

The Committee on Commerce recommends committee substitutes for the following: SB 519, SB 626, SB 842, SB 970, SB 989

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 485

The Committee on Education recommends committee substitutes for the following: SB 414, SB 927

The Committee on Health and Rehabilitative Services recommends committee substitutes for the following: CS for SB 122, SB 266, SB 670 and CS for SB 224, SB 919

The Committee on Judiciary-Criminal recommends committee substitutes for the following: Senate Bills 377, 445 and 1088; Senate Bills 982 and 772

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 1073

The Committee on Personnel, Retirement and Collective Bargaining recommends a committee substitute for the following: SB 583

The Committee on Transportation recommends a committee substitute for the following: CS for SB's 294, 184, 1061, 251, 647, 963, 987, 1040 and 1089

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.

The Committee on Transportation recommends a committee substitute for the following: SB 715

The bill with committee substitute attached was referred to the Committee on Economic, Community and Consumer Affairs under the original reference.

The Committee on Agriculture recommends a committee substitute for the following: SB 1245

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 1045

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Education under the original reference.

The Committee on Economic, Community and Consumer Affairs recommends committee substitutes for the following: SB 1030, SB 1227, SB 953

The Committee on Transportation recommends a committee substitute for the following: SB 1203

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Finance, Taxation and Claims under the original reference.

The Committee on Education recommends a committee substitute for the following: SB 1104

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 185

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: Senate Bills 859 and 879

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Commerce recommends a committee substitute for the following: SB 990

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 1172

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Health and Rehabilitative Services under the original reference.

The Committee on Commerce recommends committee substitutes for the following: SB 393, SB 861

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 973

The Committee on Judiciary-Criminal recommends committee substitutes for the following: Senate Bills 218 and 219; SB 891

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Judiciary-Civil under the original reference.

The Committee on Corrections, Probation and Parole recommends a committee substitute for the following: SB 1111

The bill with committee substitute attached was referred to the Committee on Judiciary-Criminal under the original reference.

The Committee on Economic, Community and Consumer Affairs recommends a committee substitute for the following: SB 1009

The bill with committee substitute attached was referred to the Committee on Natural Resources and Conservation under the original reference.

The Committee on Education recommends a committee substitute for the following: SB 1004

The bill with committee substitute attached was referred to the Committee on Personnel, Retirement and Collective Bargaining under the original reference.

The Committee on Health and Rehabilitative Services recommends a committee substitute for the following: SB 1047

The Committee on Judiciary-Civil recommends committee substitutes for the following: SB 838, Senate Bills 1160 and 301; Senate Bills 550 and 1189

The Committee on Personnel, Retirement and Collective Bargaining recommends a committee substitute for the following: SB 556

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Rules and Calendar under the original reference.

The Committee on Education recommends a committee substitute for the following: SB 115

The bill with committee substitute attached was referred to the Committee on Transportation under the original reference.

The Committee on Agriculture recommends a committee substitute for the following: SB 1241

The Committee on Commerce recommends committee substitutes for the following: SB 688, SB 968

The Committee on Economic, Community and Consumer Affairs recommends committee substitutes for the following: SB 1010, SB 262, SB 665, SB 893, SB 1153

The Committee on Education recommends a committee substitute for the following: SB 622

The Committee on Finance, Taxation and Claims recommends a committee substitute for the following: SB 754

The Committee on Judiciary-Civil recommends committee substitutes for the following: SB 316, SB 672

The Committee on Judiciary-Criminal recommends committee substitutes for the following: Senate Bills 812 and 1078; Senate Bills 620 and 629; Senate Bills 854 and 1050

The Committee on Natural Resources and Conservation recommends a committee substitute for the following: SB 1035

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

REQUESTS FOR EXTENSION OF TIME

May 9, 1986

The Committee on Agriculture requests an extension of 15 days for consideration of the following: Senate Bill 643

The Committee on Commerce requests an extension of 15 days for consideration of the following: Senate Bills 6, 7, 32, 33, 142, 143, 144, 174, 182, 202, 246, 310, 339, 346, 359, 395, 396, 409, 415, 418, 430, 435, 446, 921, 966, 979, 981, 997, 1041, 1043, 1068, 1079, 1084, 1095, 1096, 1102, 1108, 1123, 1128, 1141, 1144

The Committee on Education requests an extension of 15 days for consideration of the following: Senate Bills 1013, 1025, 1029, 1032, 1054, 1067, 1069, 1134, 1135

The Committee on Finance, Taxation and Claims requests an extension of 15 days for consideration of the following: Senate Bills 463, 875, 1014, 1038, 1124

The Committee on Governmental Operations requests an extension of 15 days for consideration of the following: Senate Bills 554, 1117

May 12, 1986

The Committee on Corrections, Probation and Parole requests an extension of 15 days for consideration of the following: Senate Bills 156, 562, 827, 831, 1106, 1217, 1250; House Bill 315

The Committee on Health and Rehabilitative Services requests an extension of 15 days for consideration of the following: Senate Bills 290, 638, 674, 686, 690, 697, 755, 766, 775, 776, 819, 829, 834, 1151, 1185, 1219, 1225, 1235, 1271; House Bill 448

The Committee on Judiciary-Civil requests an extension of 15 days for consideration of the following: Senate Bills 296, 481, 642, 730, 1039, 1046, 1055, 1072, 1074, 1076, 1099, 1136

The Committee on Natural Resources and Conservation requests an extension of 15 days for consideration of the following: Senate Bills 530, 594, 1008, 1114, 1125, 1145

The Committee on Personnel, Retirement and Collective Bargaining requests an extension of 15 days for consideration of the following: Senate Bills 133, 201, 284, 317, 460, 493, 521, 759, 771, 798, 815, 995, 1210; House Bill 75

May 13, 1986

The Committee on Commerce requests an extension of 15 days for consideration of the following: Senate Bills 488, 500, 505, 525, 537, 603, 618, 624, 660, 661, 676, 679, 684, 791, 1150, 1156, 1158, 1164, 1182, 1183, 1188, 1199, 1204, 1212, 1213, 1221, 1229, 1236, 1238, 1247, 1253

INTRODUCTION AND REFERENCE OF BILLS

First Reading

SR 1300 was introduced and adopted May 8.

By Senators Weinstein and McPherson—

SB 1301—A bill to be entitled An act relating to Broward County; establishing a speed limit of 25 miles per hour on certain waterways in Broward County; providing for the erection and maintenance of such waterway speed limit signs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules and Calendar.

FIRST READING OF COMMITTEE SUBSTITUTES

By the Committees on Health and Rehabilitative Services and Judiciary-Civil and Senators Weinstein, Dunn, Kiser and Frank—

CS for CS for SB 122—A bill to be entitled An act relating to guardianship; creating part IX of chapter 744, F.S.; creating the "Public Guardianship Act"; providing legislative intent; providing for the office of public guardian; providing for appointment and notification; providing for powers and duties; providing for costs of the office of public guardian; providing for the preparation of a budget; providing for procedures; providing for reports; providing for a surety bond; amending s. 744.351, F.S.; conforming language to the act; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senator Fox—

CS for SB 185—A bill to be entitled An act relating to juvenile justice training; creating s. 959.29, F.S., providing legislative intent; providing definitions; providing for the establishment of juvenile justice training academies; establishing a Juvenile Justice Standards and Training Council; providing for membership of the council and terms of office; providing functions; providing for annual reports; providing for expenses; requiring the Department of Health and Rehabilitative Services to establish a juvenile justice training program; creating a Juvenile Justice Training Trust Fund; requiring an assessment on court costs of persons convicted of certain law violations and on certain bond estreature or forfeited bail bonds; providing for receipt of other funding; providing for reversion of unexpended funds to the trust fund; providing for review and repeal; providing an effective date.

By the Committee on Judiciary-Criminal and Senators Gersten, Dunn, Margolis, Fox, Weinstein, Gordon, Neal, Vogt, D. Childers, Stuart, Myers and Kiser—

CS for SB's 218 and 219—A bill to be entitled An act relating to terrorism; creating the Florida Comprehensive Anti-Terrorism Act; creating s. 876.53, F.S.; providing a short title; creating s. 876.54, F.S.; prohibiting acts of terrorism; creating s. 876.55, F.S.; prohibiting any person from attempting to commit an act of terrorism; creating s. 876.56, F.S.; providing penalties; creating s. 876.57, F.S.; prohibiting persons from assisting anyone who has committed an act of terrorism; creating s. 876.58, F.S.; providing for a reward leading to the conviction of terrorists or the prevention of acts of terrorism; providing for the promulgation of guidelines for the payment of rewards; creating s. 876.59, F.S.; providing for mitigation of sentences; creating s. 876.60, F.S.; prohibiting the giving of false information; creating s. 876.61, F.S.; prohibiting the making of threats; creating s. 876.62, F.S.; providing for civil penalties; creating s. 27.38, F.S.; creating the Council on Anti-Terrorism; providing for membership; providing duties; amending s. 16.56, F.S.; authorizing the office of statewide prosecutor to investigate and prosecute acts of terrorism; amending s. 23.121, F.S.; providing for the coordination of law enforcement personnel and equipment to combat acts of terrorism; amending s. 23.1231, F.S.; authorizing the director of the Florida Mutual Aid Plan to coordinate the gathering of information relating to acts of terrorism; amending s. 782.04, F.S.; providing that the unlawful killing of a human being during the commission of an act of terrorism constitutes felony murder; amending s. 790.29, F.S.; prohibiting the training of persons to

commit acts of terrorism; providing for civil penalties; amending s. 838.014, F.S.; providing a definition; amending s. 838.021, F.S.; prohibiting retaliation against public servants and members of their families; providing for civil penalties; amending s. 895.02, F.S.; amending the definition of "racketeering activity" to include acts of terrorism, retaliation against public servants and members of their families, and paramilitary training; amending s. 903.046, F.S.; identifying acts of terrorism as inherently dangerous offenses for purpose of determining bail; amending s. 905.34, F.S.; expanding the jurisdiction of the statewide grand jury to include acts of terrorism; amending s. 933.18, F.S.; providing for the authorization to search a private dwelling upon a showing of probable cause that a felony is about to be committed; adding firearms and destructive devices to the type of instrumentalities used in the commission of a felony; amending s. 934.07, F.S.; including acts of terrorism among acts for which the interception of wire or oral communications may be authorized; amending s. 943.03, F.S.; permitting the Department of Law Enforcement to investigate acts of terrorism; prescribing duties and functions relating thereto; requiring that the department have personnel capable of performing certain enumerated tasks; amending s. 943.04, F.S.; prescribing authority of the Division of Criminal Investigation of the Department of Law Enforcement; amending s. 943.26, F.S.; providing for the design and implementation of training programs for the instruction of law enforcement officers in procedures for dealing with acts of terrorism; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Beard—

CS for SB 262—A bill to be entitled An act relating to real property; requiring sellers of real property to disclose certain information relating to exemptions from taxation to prospective purchasers; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senator Fox—

CS for SB 266—A bill to be entitled An act relating to child support; amending s. 39.01, F.S.; defining "child support"; amending ss. 39.032, 39.11, 39.111, 39.402, 39.41, 402.33, F.S.; requiring a court, under certain circumstances, to order fees or support payments be made to the Department of Health and Rehabilitative Services, a child-caring agency, a youth treatment program, an adult relative providing care, or an emergency shelter or detention center; amending ss. 409.168, 409.2554, F.S.; providing clarifying language; creating a Dependency Child Support Trust Fund; providing an effective date.

By the Committees on Transportation and Judiciary-Criminal and Senators Johnston, Langley, Thurman, Gersten, Kirkpatrick, Crenshaw, Beard, Jenne, Crawford, Weinstein, Kiser, Plummer, D. Childers, Castor and Peterson—

CS for CS for SB's 294, 184, 1061, 251, 647, 963, 987, 1040 and 1089—A bill to be entitled An act relating to highway safety; amending ss. 39.10, 316.193, 316.1932, 322.02, 322.261, 322.271, 322.34, F.S.; creating s. 322.055, F.S.; providing for revocation of drivers' licenses or driving privileges of persons under specified ages who have been found guilty of or delinquent for certain alcohol-related or drug-related offenses; authorizing restricted driving privileges for such persons; requiring clerks of court to report findings of guilt or delinquency; providing felony penalties for fourth or subsequent conviction for driving under the influence or driving while intoxicated; providing mandatory minimum incarceration for persons convicted of driving under the influence or driving while intoxicated who had a specified blood alcohol level; increasing the period of driver's license suspension for persons who refuse breath, blood, or urine tests; requiring substance abuse course for issuance of driver's license to a person who has certain previous convictions; specifying effect of restricted driving privileges; providing minimum mandatory penalties for driving while person's driving privilege has been suspended, canceled, or revoked if such suspension, cancellation, or revocation was for driving under the influence or driving while intoxicated; providing an effective date.

By the Committee on Judiciary-Civil and Senator Gordon—

CS for SB 316—A bill to be entitled An act relating to jurors; amending s. 40.01, F.S.; authorizing a driver data base list to be used for the selection of jurors in conjunction with registered electors; creating s. 40.011, F.S.; requiring the Department of Highway Safety and Motor Vehicles to furnish a driver data base list to certain clerks of the court and providing for affidavits for application for jury duty for those citizens

whose names do not appear on the list; amending s. 40.013, F.S.; providing for the exclusion of certain persons from jury service for medical reasons; amending s. 40.02, F.S.; excluding persons who have served as jurors from further service until the jury list is exhausted; creating s. 40.022, F.S.; requiring the clerk of the court to purge the jury lists once a month of convicted felons, mentally incompetent persons, and deceased persons; providing for affidavits for application for jury duty for those citizens whose civil rights and mental competency have been restored; amending s. 905.37, F.S.; providing that statewide grand jurors be selected from the same juror pool as countywide jurors; providing an effective date.

By the Committee on Judiciary-Criminal and Senators D. Childers, Dunn and Gersten—

CS for SB's 377, 445 and 1088—A bill to be entitled An act relating to controlled substances; amending s. 893.13, F.S.; prohibiting the sale, delivery, or possession with intent to sell or deliver of controlled substances within a specified distance of public or private schools; providing penalties; providing an effective date.

By the Committee on Commerce and Senator Hair—

CS for SB 393—A bill to be entitled An act relating to professional malpractice; amending s. 395.011, F.S.; expanding provisions granting an exemption from liability to certain persons in provisions relating to staff membership and professional clinical privileges at licensed hospitals or ambulatory surgical centers; amending s. 395.041, F.S.; requiring hospitals and ambulatory surgical centers to hire risk managers by a specified date; providing for risk management education and training for nonphysician personnel; amending s. 455.213, F.S.; changing continuing educational requirements for certain health care providers; amending ss. 458.320 and 459.0085, F.S.; changing financial responsibility requirements for licensed physicians and osteopathic physicians; exempting federal officers, employees, or agents and certain inactive physicians and osteopathic physicians from such requirements; amending s. 626.944, F.S.; changing qualifications for health care risk managers; reenacting s. 627.4147, F.S.; correcting an inadvertent error in provisions relating to medical malpractice insurance contracts; amending s. 641.395, F.S.; changing the circumstances in which health maintenance organizations must employ a risk manager; amending s. 768.48, F.S.; providing factors included in itemized verdicts; amending s. 768.57, F.S.; clarifying existing language; amending s. 768.575, F.S.; providing procedure for arbitration panels in medical malpractice actions; providing for payment to such arbitrators; providing immunity from liability for such arbitrators; providing that decisions of medical malpractice arbitration panels are non-binding; amending s. 768.58, F.S.; modifying provisions relating to mandatory settlement conferences in medical malpractice actions; amending s. 768.585, F.S.; requiring parties to reject offers of judgment or demands for judgment within a specified period; amending s. 768.66, F.S.; expanding the information to be studied as part of the medical malpractice impact study by the Department of Insurance; providing severability; providing for future repeal and legislative review of s. 768.51, F.S., relating to methods of payment of damage awards; repealing s. 51, ch. 85-175, Laws of Florida, relating to legislative review; providing effective dates.

By the Committee on Corrections, Probation and Parole—

CS for SB 485—A bill to be entitled An act relating to the private operation of state or county correctional facilities; amending s. 944.105, F.S.; deleting reference to private contracting for county correctional facilities; providing for state private correctional officer's certification, a contract monitor, and a performance audit; amending s. 951.06, F.S.; changing position titles; creating s. 951.061, F.S.; providing for the designation of a sheriff as the chief correctional officer upon an ordinance by majority of the county commission and specifying duties of chief correctional officer; creating s. 951.062, F.S.; providing for private contracting for county detention facilities upon an ordinance by majority plus one and to provide contracting requirements; creating s. 951.063, F.S.; providing for certification of county private correctional officers; amending s. 943.10, F.S.; including private correctional officer in definition of correctional officer and to include private entity in definition of employing agency; amending s. 943.13, F.S.; requiring the contracting agency to be responsible for verifying certification requirements; amending s. 121.021, F.S.; providing for the definition of continuous service to include certain contract termination circumstances; providing an effective date.

By the Committee on Commerce and Senator Margolis—

CS for SB 519—A bill to be entitled An act relating to electrical contracting; amending s. 489.505, F.S., defining the terms "alarm system"

and "alarm system contractor"; amending s. 489.507, F.S., increasing the membership of the Electrical Contractors' Licensing Board; amending s. 489.511, F.S., providing for examination for certification as an alarm system contractor; amending s. 489.515, F.S., providing for licensure of alarm system contractors; amending s. 489.531, F.S., prohibiting a person from engaging in business as an alarm system contractor unless he is certified; amending s. 489.533, F.S., providing for disciplinary proceedings with respect to certain offenses related to alarm system contracting; providing for the disposition of administrative fines; amending s. 489.537, F.S., providing for the application of the part; increasing the scope of work of a certified electrical contractor; creating s. 633.70, F.S., providing for the jurisdiction of the State Fire Marshal over alarm system contractors; creating s. 633.71, F.S., relating to requirements for fire alarm equipment; creating s. 633.72, F.S., providing for prohibited acts regarding fire alarm system contractors; providing penalties; providing for review and repeal; providing an effective date.

By the Committee on Judiciary-Civil and Senator Malchon—

CS for SB's 550 and 1189—A bill to be entitled An act relating to constitutional initiatives; requiring cases before the Supreme Court involving constitutional amendments proposed by initiative to be heard as expeditiously as possible; requesting the Supreme Court to adopt emergency rules to allow expeditious review of such cases; allowing a sponsor of an initiative to request review of such initiative by the Secretary of State or to request revision assistance from a legislative bill drafting office; providing requirements for requesting such review or assistance; requiring the Secretary of State to review certain constitutional initiatives and to issue statements with respect thereto; providing for publication of such statements; requiring the legislative bill drafting offices to provide assistance under certain circumstances in revising the wording of certain constitutional initiatives; authorizing the Secretary of State to adopt rules with respect to requests for review or revision assistance and review criteria; providing for review of actions taken by Secretary of State; creating s. 15.21, F.S.; requiring the Secretary of State to submit revisions or amendments proposed by initiative petition to the Attorney General; creating s. 16.061, F.S.; requiring the Attorney General to petition the Supreme Court to review the decision of the Secretary of State regarding the validity of the substance and ballot title of a proposed initiative and review, or in the alternative, that the justices issue an advisory opinion regarding the compliance of the proposed initiative with the one subject and matter requirement of s. 3, Art. XI of the State Constitution; amending s. 99.097, F.S.; providing that persons or sponsors submitting an initiative petition are exempt from paying the verification fee upon a showing that it will impose an undue burden; amending s. 100.371, F.S.; requiring that the Supreme Court review the decision of the Secretary of State with regard to ballot title and substance and review, or in the alternative, issue an advisory opinion concerning the initiative's compliance with the one subject and matter requirement under s. 3, Art. XI of the State Constitution prior to ballot certification; providing a 122-day deadline for submission of signatures to supervisors of elections; providing for the verification of signatures on initiative petitions by random sample; prohibiting certain forms of compensation for persons soliciting signatures; amending s. 101.161, F.S.; requiring the Secretary of State to revise the ballot title and substance of a proposed constitutional amendment where necessary to ensure compliance with state law; providing for publication of a constitutional amendment proposed by initiative; prohibiting payment for obtaining signatures on an initiative petition; providing penalties; providing severability; providing an effective date.

By the Committee on Judiciary-Criminal and Senators Thurman and W. D. Childers—

CS for SB's 620 and 629—A bill to be entitled An act relating to criminal deprivations of property; amending s. 812.014, F.S.; changing the monetary limits which define theft; providing that theft of any livestock is grand theft of the second degree and a felony of the third degree; amending s. 812.015, F.S.; redefining "retail theft"; revising language with respect to retail and farm theft; creating s. 817.037, F.S.; to make it a misdemeanor to engage in the practice of fraudulently seeking a refund; requiring the posting of notice by business establishments; amending s. 817.481, F.S.; changing the monetary limits defining fraudulent use of credit cards; amending s. 817.562, F.S.; changing the monetary limits defining fraud involving a security interest; amending s. 817.62, F.S.; changing the monetary limits defining fraud by persons authorized to provide goods or services upon presentation of a credit card; amending s. 832.04, F.S.; changing the monetary limits defining stopping payment on any check, draft, or written order for payment for farm or grove products;

amending s. 832.041, F.S.; changing monetary limits defining stopping payment on a check with intent to defraud; amending s. 832.05, F.S.; changing monetary limits defining worthless checks, drafts or debit card orders; amending s. 832.07, F.S.; increasing the amount of the service charge which may be imposed on worthless checks; providing for liability for court costs, attorney fees and incurred bank fees; providing an effective date.

By the Committee on Commerce and Senator Gordon—

CS for SB 626—A bill to be entitled An act relating to workers' compensation; amending s. 440.13, F.S., relating to limitations on charges for medical services under the Workers' Compensation Law; providing procedures and considerations for determining schedules of maximum reimbursement allowances to health care providers; providing for adoption of such schedules by rule by the Department of Labor and Employment Security; providing for utilization review; providing for administrative penalties; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Malchon—

CS for SB 665—A bill to be entitled An act relating to consumer protection; amending s. 501.021, F.S.; including lease and rental transactions in the definition of "home solicitation sale"; creating s. 501.022, F.S.; providing for permits for home solicitation sales, to be issued by the sheriff in each county; providing exemptions; providing for fees; providing for denial, suspension, or revocation of the permit; amending s. 501.046, F.S.; requiring affected businesses to ensure compliance on the part of their employees; amending s. 501.047, F.S.; proscribing certain practices with respect to home solicitation sales; amending s. 501.055, F.S.; providing penalties; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senator Fox and the Committee on Judiciary-Civil—

CS for SB 670 and CS for SB 224—A bill to be entitled An act relating to domestic relations; amending s. 61.001, F.S., relating to the construction and purposes of ch. 61, F.S.; providing technical changes; amending s. 61.021, F.S.; providing that one of the parties to a marriage must reside 6 months in the state before filing a petition for dissolution; creating s. 61.046, F.S.; providing definitions for purposes of ch. 61, F.S.; amending ss. 61.052, 61.08, 61.09, 61.10, F.S., relating to dissolution of marriage, alimony, alimony and child support unconnected with dissolution, and adjudication of obligation to support spouse or minor child; providing changes in terminology and technical changes; amending s. 61.13, F.S.; providing that child support orders contain provisions for health insurance when it is reasonably available; prohibiting the withholding of support payment because the custodial parent refuses to honor visitation rights; prohibiting the custodial parent from preventing visitation for failure to make child support payments; authorizing certain relief; providing remedies; amending s. 61.1301, F.S.; providing for the issuance of income deduction orders; providing for a statement to an obligor regarding his rights, remedies, and duties with regard to an income deduction order; creating s. 61.13015, F.S.; providing for the enforcement of income deduction orders; providing procedures; providing for collection of administrative costs; providing civil penalties; creating s. 61.1352, F.S.; providing for certificates of nonsupport; providing for claims of lien against real, personal, and intangible property when an obligor is delinquent in support; providing procedures; providing for cumulative remedies; creating s. 61.1354, F.S.; providing for the sharing of information between consumer reporting agencies and the IV-D agency; amending s. 61.14, F.S., relating to modification of support, maintenance, or alimony agreements or orders; providing conforming and technical changes; amending s. 61.17, F.S.; providing additional methods for enforcing judgments; amending s. 61.181, F.S.; providing that the Department of Health and Rehabilitative Services or its contractual representative is responsible for local support enforcement services, including depository services, required by the State Title IV-D Plan; providing that the Department of Health and Rehabilitative Services may contract with local officers for the provision of local support enforcement services or depository services; providing contracting procedures; providing standards for eligibility of applicants; providing funding; providing for termination of contracts; providing for reimbursement of the state by local officers or counties for federally imposed fiscal sanctions; providing for a central governmental depository for all alimony and child support payments; providing fees; providing for the acceptance of checks; providing for distribution of support payments; providing rulemaking authority; requiring the Supreme Court to by rule provide for support enforcement masters to meet federal

IV-D requirements; creating s. 61.183, F.S.; providing for mediation; providing procedures; providing for the confidentiality of certain information; providing that conduct or statements made during a mediation proceeding are inadmissible in any civil proceeding; amending ss. 88.065, 88.121, F.S., relating to conditions of interstate rendition and to the representation of petitioners; providing conforming language; providing that private counsel in non-IV-D cases may represent a petitioner in the proceedings; amending s. 88.151, F.S.; providing for the assessment of application fees, filing fees, attorney's fees, court costs, and administrative costs against a respondent in a court order; providing that the petitioner shall be responsible if costs cannot be recovered from respondent; authorizing the IV-D agency to impose and collect fees for services rendered; amending ss. 88.181, 88.191, F.S., relating to the duty of this state as responding state and of the other state as responding state; providing conforming language; amending s. 88.211, F.S.; requiring the responding court if it finds a duty of support to enter separate income deduction orders pursuant to ch. 61, F.S.; providing conforming language; amending s. 88.251, F.S., relating to additional duty of initiating court; providing conforming language; amending ss. 88.297, 88.345, 88.351, F.S., relating to appeals, representation, and registration procedures; providing conforming language; amending s. 95.11, F.S.; providing that the statute of limitations in determination of paternity proceedings runs from the date the child reaches majority; amending s. 409.2551, F.S., relating to legislative intent with respect to enforcement of support for financially dependent children; providing conforming language; amending s. 409.2554, F.S.; providing definitions for purposes of ss. 409.2551-409.2597, relating to public assistance and actions for support; amending s. 409.2561, F.S., relating to public assistance payments and reimbursement of obligation to the Department of Health and Rehabilitative Services; providing conforming language; amending s. 409.2564, F.S.; providing that any order issued by the court as a result of an action shall require payments to be made to the department through the depository; requiring the depository to provide to the department certified payment statements at no cost to the department; requiring the department to notify the depository to redirect payments in certain cases; limiting the IV-D agency's participation in legal actions; granting immunity from liability in tort actions; providing conforming language; amending s. 409.2567, F.S., relating to services to individuals not otherwise eligible; providing conforming language and technical changes; creating s. 409.2569, F.S.; providing for continuation of services to public assistance recipients after benefits terminate; amending s. 409.2571, F.S., relating to court and witness fees and bond; providing conforming language; amending s. 409.2572, F.S.; specifying terms of cooperation in public assistance cases; specifying penalties for noncooperation in public assistance cases; amending s. 409.2574, F.S.; requiring the Department of Health and Rehabilitative Services to enforce income deduction orders for IV-D applicants; requiring that the department be a party; providing that support orders being enforced under IV-D do not need an amendment or further action by the court to be enforced by income deduction; providing procedures; amending s. 409.2584, F.S.; providing for the collection of interest of 10 percent per year on certain support obligations; amending s. 742.011, F.S.; specifying persons who may bring a paternity action; amending s. 742.021, F.S., relating to venue in paternity proceedings; providing conforming language and technical changes; amending s. 742.031, F.S.; deleting the authority for paternity issues to be tried by a jury; providing that the court shall order either or both parents to pay support; amending s. 742.10, F.S.; providing that ch. 742, F.S., establishes the primary jurisdiction and procedures for determining paternity for children born out of wedlock; creating s. 742.12, F.S.; providing for scientific testing to determine paternity; providing for payment of test fees; providing for legal presumptions of paternity; creating the Study Commission on Child Support Enforcement; providing for membership; providing responsibilities of the commission; requiring submission of a report; assigning the commission to the Department of Health and Rehabilitative Services for administrative purposes; requiring the department to staff the commission; amending section 6 of ch. 85-178, Laws of Florida, to continue three comprehensive child support enforcement projects; providing that the state IV-D agency may withhold funds or terminate the contract for failure to comply with federal IV-D requirements; providing for an evaluation of the projects; providing an appropriation; repealing s. 61.081, F.S., relating to issuance of income deduction orders in conjunction with alimony orders; repealing s. 88.031(11), F.S., relating to the definition of prosecuting attorney under the Revised Uniform Reciprocal Enforcement of Support Act; repealing s. 409.2587, F.S., relating to uncollectible child support debts; repealing s. 742.041, F.S., relating to monthly child support contributions; providing that the legality of income deduction orders, child support orders, and alimony orders entered prior to the effective date of the act shall not be affected; providing that causes of actions accruing prior to the effective date of the act shall not be affected; providing severability; providing effective dates.

By the Committee on Judiciary-Civil and Senator Dunn—

CS for SB 672—A bill to be entitled An act relating to elections; amending s. 101.24, F.S.; providing for ballot transfer containers; amending s. 101.5609, F.S.; revising ballot requirements; amending s. 101.5610, F.S.; providing for inspection of ballot information by election board; amending s. 101.5614, F.S., relating to canvass of returns; providing an effective date.

By the Committee on Commerce and Senator Plummer—

CS for SB 688—A bill to be entitled An act relating to motor vehicle insurance; creating s. 627.7282, F.S.; providing for return of premium when motor vehicle insurance is canceled by the insured; providing interest penalties; authorizing civil remedies; amending s. 624.155, F.S.; providing a cross-reference; providing an effective date.

By the Committee on Transportation and Senator Johnson—

CS for SB 715—A bill to be entitled An act relating to transportation; amending s. 337.11, F.S.; providing for rejection of certain bids; requiring a person protesting a bid decision to post bond; providing deadlines for execution of contracts and for issuance of authorization to proceed; requiring contracts to specify schedules and the effect of failure to meet schedules; requiring withholding of a portion of periodic payments prior to completion and acceptance of a project; providing an effective date.

By the Committee on Finance, Taxation and Claims and Senators Stuart and Dunn—

CS for SB 754—A bill to be entitled An act relating to ad valorem tax assessment and fee time-share real property; amending s. 192.001, F.S.; providing definitions; amending s. 192.037, F.S.; providing that the unit of assessment and taxation shall be the fee time-share unit; repealing s. 197.472(8), F.S.; providing an effective date.

By the Committee on Judiciary-Criminal and Senators Gersten and Grizzle—

CS for SB's 812 and 1078—A bill to be entitled An act relating to assault or battery upon school personnel; amending s. 231.06, F.S.; providing for penalties; providing an effective date.

By the Committee on Judiciary-Civil and Senators McPherson and W. D. Childers—

CS for SB 838—A bill to be entitled An act relating to public officers and employees; amending s. 112.312, F.S., and repealing subsection (15) thereof; redefining "gift," defining "relative" and "secondary source of income," and deleting a definition of "person or business entities provided a grant or privilege to operate"; repealing s. 112.3141, F.S., relating to standards of conduct for legislators and legislative employees; amending s. 112.313, F.S.; including said standards therein and deleting provisions relating to disclosure of specified interests; revising an exemption from certain standards relating to doing business with one's agency and conflicting employment or contractual relationships; amending and renumbering s. 116.111, F.S., relating to restrictions on employment of relatives; revising definitions applicable thereto; removing a penalty; amending s. 112.3144, F.S.; requiring full and public disclosure of financial interests by elected local and state officers and designated state officers and employees; amending s. 112.3145, F.S.; requiring the filing of a statement of financial interests by local and state officers and specified state employees; requiring certain quarterly client representation disclosure; providing timetables and procedures; amending s. 112.3146, F.S.; specifying that statements filed under ss. 112.3143 and 112.3144 are public records; amending s. 112.3147, F.S.; providing for forms; providing for notice to persons subject to disclosure requirements; providing duties of governmental units; providing for notice to the commission of persons who fail to file; amending s. 112.317, F.S.; expanding penalty provisions; creating s. 112.318, F.S.; providing restrictions on activities of certain officers and employees after leaving such office or employment; amending s. 112.320, F.S.; specifying purposes of the commission; amending s. 112.322, F.S.; specifying powers and duties of the commission and providing for delegation of certain authority; requiring state attorneys to file complaints of ethics violations under certain circumstances; authorizing the commission to assess penalties based on the list of persons who fail to file; providing for notice and appeal; providing for actions to recover penalties; creating s. 112.3231, F.S.; providing time limitations with respect to proceedings of the Commission on Ethics relating to violations within its jurisdiction; amending s. 112.324, F.S.; revising provisions relating to pro-

cedures on complaints of violations, including complaints against impeachable officers or members of the Legislature; designating the disciplinary body with respect to former officers and employees; correcting references; creating s. 112.325, F.S.; prohibiting certain coercion, intimidation, or interference with respect to rights and obligations under the code of ethics; providing for injunctive relief and remedies; defining "compensation" for the purposes of s. 8(e), Art. II, State Constitution; amending ss. 99.012 and 229.8053, F.S.; correcting references; repealing s. 111.011, F.S., which requires elected public officers to file a statement of contributions received; repealing ss. 839.08, 839.09, 839.091, and 839.10, F.S., which prohibit the purchase of supplies for public use by public officers from themselves or by boards from board members, with certain exemptions, and which prohibit officers and board members from bidding for contracts for public works for which they are a party to the letting; providing an effective date.

By the Committee on Commerce and Senators Gordon and Margolis—

CS for SB 842—A bill to be entitled An act relating to banking; creating part II of chapter 663, F.S., relating to international development banks; providing definitions; providing for applicability of state banking laws; providing for the creation and authority to operate as an international development bank; providing for investigations; providing criteria for authorization; providing restrictions on the name of such banks; providing for a principal place of doing business and authorizing branch banks; specifying permissible and prohibited banking activities; providing for boards of directors for such banks; restricting the issuance of stock; restricting changes in capital; providing limitations on stock ownership; providing lending and investment limits; authorizing such banks to borrow and requiring capital accounts; authorizing foreign lending and borrowing; providing reserve requirements; amending s. 517.051, F.S.; exempting securities of international development banks from certain registration; amending s. 658.74, F.S.; prohibiting unauthorized use of the name of such banks; designating ss. 663.01-663.14, F.S., as part I of chapter 663; providing for review and repeal; providing an effective date.

By the Committee on Judiciary-Criminal and Senators Myers and Gersten—

CS for SB's 854 and 1050—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; changing the controlled substances in various schedules regulated pursuant to the "Florida Comprehensive Drug Abuse Prevention and Control Act"; providing an effective date.

By the Committee on Natural Resources and Conservation and Senators Crawford, Vogt and Thomas—

CS for SB's 859 and 879—A bill to be entitled An act relating to water pollution; creating the "Waste Treatment Cost Efficiency Act of 1986"; providing that the Department of Environmental Regulation submit to the Governor and Legislature a report outlining requirements and recommendations governing wastewater treatment facilities; amending s. 403.021, F.S.; providing legislative intent with respect to application of state water quality standards; providing an effective date.

By the Committee on Commerce and Senator Crawford—

CS for SB 861—A bill to be entitled An act relating to insurance; amending s. 624.155, F.S.; requiring additional information to be included in a notice of an alleged violation by an insurer as a condition to bringing a civil remedy action; specifying authority of the Department of Insurance relative to such notices; requiring insurers to report on the disposition of the violation; providing an effective date.

By the Committee on Judiciary-Criminal and Senators Hair and Grant—

CS for SB 891—A bill to be entitled An act relating to criminal practices; creating chapter 772, F.S., to be known as the "Civil Remedies for Criminal Practices Act"; providing definitions; making unlawful the receipt of proceeds from certain criminal activities; requiring criminal intent; making unlawful the acquisition or maintenance through certain criminal activities of an interest in or participation in enterprises or real property; providing a civil cause of action to victims of certain criminal activities; providing for estoppel in certain civil actions against convicted persons; providing statute of limitations for certain civil actions; providing for suspension of statute of limitations under certain circumstances; providing for remedies to be nonexclusive; providing immunity from damages for governmental entities; providing for attorneys' fees to be

taxed as costs; amending s. 812.035, F.S., limiting a civil remedy to the state; amending s. 895.05, F.S.; limiting a civil remedy to the state; clarifying right to jury trial; providing for priorities on forfeited properties; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senators Jennings, Langley, Vogt and Stuart—

CS for SB 893—A bill to be entitled An act relating to metropolitan transportation authorities; amending s. 163.805, F.S.; providing a definition; revising voting requirements with respect to certain actions; amending s. 163.807, F.S.; revising language with respect to certain powers of the metropolitan transportation authorities; amending s. 163.8075, F.S.; providing that certain referenda constitute approval for regional transportation authorities to issue bonds pledging ad valorem taxes; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Margolis and Fox—

CS for SB 919—A bill to be entitled An act relating to organ transplants; creating a statewide technical Organ Transplant Advisory Council; providing for the membership, terms, filling of vacancies, chairperson, responsibilities, and meetings thereof; authorizing reimbursement for travel expenses and per diem; providing for review and repeal; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Kirkpatrick—

CS for SB 953—A bill to be entitled An act relating to landscape architects; amending s. 481.307, F.S.; increasing the maximum fee for application and examination for licensure; increasing the biennial renewal fee; providing an effective date.

By the Committee on Commerce and Senators Crawford, Dunn, Jenne, Jennings, Thomas and Hair—

CS for SB 968—A bill to be entitled An act relating to savings associations; amending s. 665.0311, F.S., revising provisions relating to the power to reorganize, merge, or consolidate; creating s. 665.0315, F.S., providing for the reorganization, merger, or consolidation with a foreign association; amending s. 665.034, F.S., providing for the acquisition of a Florida association by a foreign association under certain circumstances; creating s. 665.0345, F.S., providing for the regulatory supervision of foreign associations; amending s. 665.1001, F.S., providing for the establishment of a branch office of a foreign association under certain circumstances; providing legislative intent; providing for review and repeal; providing an effective date.

By the Committee on Commerce and Senators Grant and Thomas—

CS for SB 970—A bill to be entitled An act relating to agriculture and rural economic development; creating the Agriculture and Rural Economic Development Policy Act; providing legislative intent; establishing the Agricultural and Rural Economic Development Program within the Department of Agriculture and Consumer Services; creating the Agricultural and Rural Economic Development Interagency Coordinating Council; providing for council membership, leadership, duties, and frequency of meetings; requiring the development and implementation of a statewide economic development strategy for agriculture and the rural areas of the state and submission of the strategy plan to specified officials; providing for grants; providing an appropriation; providing for legislative review and repeal; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Weinstein—

CS for SB 973—A bill to be entitled An act relating to municipal annexation; amending s. 171.062, F.S.; specifying that contracts in effect prior to annexation are not affected by annexation; providing an effective date.

By the Committee on Judiciary-Criminal and Senators Crenshaw and Kiser—

CS for SB's 982 and 772—A bill to be entitled An act relating to drug abuse; amending s. 893.13, F.S., providing a mandatory minimum 10-year term of imprisonment for persons convicted of selling certain controlled substances to a minor; prohibiting withholding of adjudication; providing an effective date.

By the Committee on Commerce and Senators Malchon, Meek, Grizzle and Frank—

CS for SB 989—A bill to be entitled An act relating to Medicare supplement policies; amending s. 627.672, F.S.; redefining "policy" to include policies effectuated outside the state; creating s. 627.6735, F.S.; authorizing the Department of Insurance to order the discontinuance of certain advertising relating to such policies; providing penalties; providing for review and repeal; providing an effective date.

By the Committee on Commerce and Senators Malchon, Meek and Frank—

CS for SB 990—A bill to be entitled An act relating to continuing care contracts; amending s. 651.033, F.S.; providing additional requirements with respect to escrow accounts; providing additional notification requirements on escrow agents and providers with respect to escrow funds; providing for fines; repealing s. 651.035(6), F.S., relating to requirements for escrow agents with respect to minimum liquid reserve requirements; amending s. 651.106, F.S.; providing additional grounds for discretionary refusal, suspension, or revocation of certificate of authority; amending s. 651.114, F.S.; revising provisions with respect to delinquency proceedings for all escrowed funds; creating s. 651.116, F.S.; providing additional provisions with respect to delinquency proceedings; creating s. 651.117, F.S.; providing for duties of the Department of Health and Rehabilitative Services; creating s. 651.118, F.S.; providing for the issuance of certificates of need under certain circumstances; providing for sheltered nursing home beds to be used by nonresidents for a designated time period; providing for the submission of bed utilization reports; providing for the conversion of sheltered nursing home beds to community nursing home beds under certain circumstances; providing for review and repeal; amending s. 651.021, F.S.; providing exception to requirement for department approval of construction; amending ss. 651.055, 651.095, F.S.; providing that ch. 651, F.S., supersedes other laws; providing an effective date.

By the Committee on Education and Senator Grant—

CS for SB 1004—A bill to be entitled An act relating to community colleges; amending s. 240.343, F.S.; providing for terminal pay for accumulated sick leave for employees; increasing the amount of such pay which may be provided under certain conditions; providing retroactivity; amending s. 121.091, F.S.; providing for community colleges to hire retired members of the Florida Retirement System on a part-time, non-contractual basis in certain circumstances; limiting the duration of such employment and providing penalties for retired members whose employment exceeds such limits; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Frank—

CS for SB 1009—A bill to be entitled An act relating to impact fees; providing for legislative intent; directing the State Comprehensive Plan Committee to study impact fees and to make recommendations in its final report; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Frank—

CS for SB 1010—A bill to be entitled An act relating to construction contracting; amending ss. 489.103, 489.113, 489.115, 489.129, F.S.; creating s. 489.108, F.S.; providing exemptions from certification and registration requirements; providing rulemaking authority of the board; clarifying when a contractor is required to subcontract installation of roofing materials; specifying when subcontracting is required for swimming pool work; providing for applications under oath; providing that financial mismanagement, abandonment, and failure to perform legal obligations or violating a lawful order of the board or department are grounds for disciplinary action; providing procedures, penalties, and limitations; repealing s. 489.131(8), F.S., relating to local certificates or licenses for mechanical or plumbing work; providing an effective date.

By the Committee on Natural Resources and Conservation and Senator McPherson—

CS for SB 1035—A bill to be entitled An act relating to vessels; amending s. 327.65, F.S.; requiring exhaust of vessels to be muffled; allowing counties to adopt specified standards for sound levels of vessels; prohibiting refusal to submit to a sound level test when requested; providing penalties; amending s. 327.33, F.S.; providing for reckless or careless operation of a vessel; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senators Mann and Fox—

CS for SB 1045—A bill to be entitled An act relating to handicap prevention; creating the "Handicap Prevention Act of 1986"; providing legislative intent; providing definitions; providing a continuum of prevention services to high-risk and handicapped preschool children; requiring a joint report by the Department of Health and Rehabilitative Services and the Department of Education; providing for interagency coordination in the Developmental Disabilities Planning Council; providing for the development of uniform standards; requiring a study; requiring the Department of Health and Rehabilitative Services to provide a prenatal care program; requiring rules; amending s. 415.5015, F.S.; expanding the child abuse primary prevention and training program; providing an effective date.

By the Committee on Health and Rehabilitative Services and Senator Fox—

CS for SB 1047—A bill to be entitled An act relating to medical assistance; amending s. 409.266, F.S.; authorizing the imposition of administrative sanctions against a provider who is found guilty, regardless of plea or adjudication, of fraud related to Medicaid or Medicare; authorizing imposition of administrative sanctions against a Medicaid provider who has refused access to Medicaid records to investigators of the Medicaid Fraud Control Unit of the Office of the Auditor General; requiring notification of the regulatory agency when sanctions are imposed on a provider; providing an effective date.

By the Committee on Natural Resources and Conservation and Senators Mann and Stuart—

CS for SB 1073—A bill to be entitled An act relating to an interconnecting wildlife habitat system and endangered and threatened species; directing the Nongame Wildlife Advisory Council to study the feasibility of an interconnecting wildlife habitat system; providing for a report from the Game and Fresh Water Fish Commission; providing an appropriation; amending s. 327.72, F.S.; providing for additional fees to be imposed; designating where the fees will be deposited; amending s. 370.021, F.S.; designating the deposit of certain proceeds; imposing certain fees; amending s. 370.12, F.S.; establishing a special account within the Motorboat Revolving Trust Fund for use in programs for endangered and threatened marine species; amending s. 372.073, F.S.; describing the purpose of the Endangered and Threatened Species Trust Fund; describing the reward program; specifying expenditures from the fund; amending s. 372.71, F.S.; providing for the collection and deposit of fees; amending s. 372.72, F.S.; providing for the disposition of fees; providing an effective date.

By the Committee on Education and Senator Peterson—

CS for SB 1104—A bill to be entitled An act relating to public education; amending s. 228.093, F.S., authorizing state and local educational institutions and agencies to release student educational records in compliance with a court order or subpoena; requiring certain notification; authorizing student records to be released to credit bureaus under certain conditions; amending ss. 232.23, 240.237, and 240.323, F.S., to conform; amending s. 240.257, F.S.; authorizing the Board of Regents to authorize universities to encumber certain state funds to match private contributions under the Eminent Scholars Act; amending s. 240.118, F.S.; specifying information to be contained in reports required to be submitted by state universities and community colleges to school districts and by the State Board of Education to the Legislature; amending s. 394.455, F.S.; including university police officers within the term "law enforcement officer" for purposes of the Florida Mental Health Act; amending s. 112.313, F.S.; providing an exemption for transactions made pursuant to s. 240.229, F.S., or s. 240.241, F.S., under certain conditions; amending s. 240.247, F.S.; providing for annual submission of a salary discrimination report to the Board of Regents; amending s. 240.2605, F.S.; authorizing expenditures for library resources, scientific and technical equipment, operational support, and scholarships; amending s. 283.53, F.S.; providing for the use of law journals; amending s. 228.041, F.S.; including developmental research schools within the definition of public schools; creating s. 228.053, F.S.; establishing developmental research schools; providing missions; providing admission criteria; providing for fees; providing for supplemental support organizations; providing for personnel; creating an advisory board; providing duties; providing for funding; creating a Developmental Research School Educational Facility Trust Fund; providing for implementation; providing for audits; creating s. 230.015, F.S.; desig-

nating developmental research schools as special school districts; providing accountability to the Department of Education; amending s. 236.0817, F.S., relating to funding for developmental research schools; providing for developmental research schools to be designated as teacher education centers for inservice training; providing for the use of funds from the Developmental Research School Trust Fund for inservice activities; creating the Morrill Land-Grant Act; providing an effective date.

By the Committee on Corrections, Probation and Parole and Senator Crawford—

CS for SB 1111—A bill to be entitled An act relating to parole; amending ss. 26.012, 921.187, 944.291, 947.005, 947.01, 947.03, 947.04, 947.06, 947.10, 947.13, 947.165, 947.25, 947.26, 948.01, F.S.; creating ss. 947.081, 947.1747, F.S.; providing for conditional release of inmates released through accumulation of gain-time; providing for revocation of conditional release by the circuit court under specified circumstances; providing that an inmate placed on probation as part of a split sentence is subject to the jurisdiction of the court that imposed such sentence; amending s. 947.005, F.S.; providing for a definition of board; amending s. 947.01, F.S.; providing for a reduction in the number of parole commissioners; providing for termination and reappointment; amending s. 947.03, F.S.; specifying terms; amending s. 947.04, F.S.; providing for temporary employment of ex-commissioners; amending s. 947.06, F.S., relating to commission meetings; amending s. 947.10, F.S.; providing for appointment of commissioners to the board; amending s. 947.13, F.S.; deleting certain portions thereof; amending s. 947.165, F.S.; providing for judicial objection to parole release; amending s. 947.1745, F.S.; requiring notification; amending s. 947.25, F.S.; providing for clemency recommendations to be made by the board; amending s. 947.26, F.S.; clarifying the board's right of access; creating s. 947.081, F.S.; creating a Board of Clemency; providing for membership and duties; amending s. 33 of ch. 83-131, Laws of Florida; delaying the repeal of s. 20.32, F.S.; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Frank—

CS for SB 1153—A bill to be entitled An act relating to thermal efficiency standards; amending s. 553.902, F.S.; redefining the energy performance index; amending s. 553.903, F.S.; eliminating performance level variations; amending s. 553.907, F.S.; providing for amended compliance certification forms; amending s. 553.9085, F.S.; providing for display of energy performance levels for residential buildings; providing an effective date.

By the Committee on Judiciary-Civil and Senator Malchon—

CS for SJR's 1160 and 301—A joint resolution proposing the addition of Section 10 to Article IV, and the amendment of Section 3 of Article V and Section 3 of Article XI of the State Constitution relating to constitutional initiatives.

By the Committee on Corrections, Probation and Parole—

CS for SB 1172—A bill to be entitled An act relating to corrections; providing definitions; creating the State of Florida Correctional Medical Council; providing powers, duties, and membership; providing exemption from certificate-of-need requirements for certain lessees and contractors of the Department of Corrections; amending s. 768.28, F.S.; providing sovereign immunity protection for certain health care providers and their agents and employees under contract to the Department of Corrections and for limited waiver thereof; providing procedure for resolution of disputes between health care providers and the Department of Corrections; providing an effective date.

By the Committee on Transportation and Senators Jennings and Deratany—

CS for SB 1203—A bill to be entitled An act relating to corporate income tax; amending s. 220.02, F.S.; amending the ordering of tax credits; creating s. 220.185, F.S.; authorizing a tax credit for contributions to ridesharing programs; requiring approval by the Secretary of Transportation; providing limitations; providing an effective date.

By the Committee on Economic, Community and Consumer Affairs and Senator Vogt—

CS for SB 1227—A bill to be entitled An act relating to the practice of geology; providing definitions; providing powers and duties of the Department of Professional Regulation; creating an Advisory Committee

on Geology; providing for licensure of professional geologists; providing qualifications; providing for provisional licenses; providing for use of seals; providing for inactive status of licenses; providing for reciprocity; providing for the practice of professional geology by firms, corporations, and partnerships; providing for certificates of authorization; providing application fees for licenses and certificates of authorization and for examination fees; providing for renewal and providing fees; providing prohibitions and penalties; providing disciplinary proceedings; providing for replacement of lost, destroyed, stolen, or mutilated licenses; providing for a roster of professional geologists; providing exemptions; providing for construction of the act; providing for review and repeal; providing an effective date.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Neal, the rules were waived and by two-thirds vote CS for SB 16, Senate Bills 205, 237, 456, 468, 509, 523, 555, 593, CS for SB 609 and SB 929 were withdrawn from the Committee on Appropriations.

On motion by Senator Malchon, the rules were waived and CS for SB 582 was ordered immediately certified to the House.

On motion by Senator Kiser, the rules were waived and SB 73 after being engrossed was ordered immediately certified to the House.

On motion by Senator Grant, by two-thirds vote SB 1201 was withdrawn from the committees of reference and indefinitely postponed.

On motion by Senator Peterson, the rules were waived and the Committee on Education was granted permission to consider CS for SB 1245 this day.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

Appointments Subject to Confirmation by the Senate:

The Secretary of State has certified that pursuant to the provisions of Section 114.05, Florida Statutes, certificates subject to confirmation by the Senate had been prepared for the following:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of Broward Community College, Members Appointees: Roach, Margaret L. Wilkov, Elinor	05/31/90 05/31/90
Board of Trustees of Chipola Junior College, Members Appointees: Donaldson, John Harold James, Michael R.	05/31/90 05/31/90
Board of Trustees of Florida Junior College at Jacksonville, Members Appointees: Carr, Jr., John M. Yates, Alton Wendell Zell, Donald D.	05/31/90 05/31/90 05/31/90
Board of Trustees of Hillsborough Community College, Members Appointees: Hill, III, Benjamin H. Poppell, R. T.	05/31/90 05/31/90
Board of Trustees of Indian River Community College, Members Appointees: Dixon, Sr., Ben F. Sumner, Elder M. Supank, Harold Wyatt, John R.	05/31/90 05/31/90 05/31/90 05/31/90
Board of Trustees of Manatee Community College, Member Appointee: Hackney, Charles E.	05/31/90
Board of Trustees of Miami-Dade Community College, Members Appointees: Parks, Arva Moore Reeves, Garth C.	05/31/90 05/31/90
Board of Trustees of North Florida Junior College, Members Appointees: Protsman, Norman O. Townsend, Wallace S.	05/31/90 05/31/90

<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of Okaloosa-Walton Junior College, Member Appointee: Baldwin, John Edwin	05/31/90
Board of Trustees of Pasco-Hernando Community College, Members Appointees: Browning, Mark E. Gay, Gregory G. Sasser, James H.	05/31/90 05/31/90 05/31/90
Board of Trustees of Pensacola Junior College, Members Appointees: Merts, Robert H. Noonan, Jr., W. J. Timmons, William A.	05/31/90 05/31/90 05/31/90
Board of Trustees of St. Johns River Community College, Members Appointees: Cotton, William R. Hancock, Frank M. Newell, Homer L.	05/31/90 05/31/90 05/31/90
Board of Trustees of Santa Fe Community College, Members Appointees: Dorsey, Mable S. Farnsworth, Jr., Harold C. Rowe, Robert R.	05/31/90 05/31/90 05/31/90
Board of Trustees of Seminole Community College, Members Appointees: Ringling, Julius C. Stenstrom, Carolyn P.	05/31/90 05/31/90
Board of Trustees of South Florida Community College, Members Appointees: Collins, Sylvia M. Frierson, Gary Kelly, Clifton M.	05/31/90 05/31/90 05/31/90
Board of Trustees of Tallahassee Community College, Members Appointees: Hinson, Stewart M. McWilliams, Spurgeon W. Shingles, Josephus J.	05/31/90 05/31/90 05/31/90
Environmental Regulation Commission, Member Appointee: Hill, Jacqueline	07/01/89
Board of Landscape Architecture, Member Appointee: Milligan, David F.	03/04/90
Postsecondary Education Planning Commission, Member Appointee: Hightower, W. A.	02/04/89

Referred to the Committee on Executive Business.

EXECUTIVE BUSINESS

The Honorable Harry A. Johnston, II
President of the Senate

April 8, 1986

RE: Suspension of:

JESSIE H. LEIGH, now deceased
Judge of County Court for
Duval County, Florida

Dear Mr. President:

This report concerns proceedings by the Committee on Executive Business on the Executive Order of Suspension, Number 85-133, whereby the Honorable Jessie H. Leigh, County Judge of Duval County, Florida, was suspended from office on June 25, 1985.

His Excellency D. Robert Graham, as Governor, entered an Executive Order of Reinstatement, Number 86-61, dated March 27, 1986, thereby revoking the Executive Order of Suspension and reinstating the Honorable Jessie H. Leigh to the aforesaid county office from June 25, 1985, until the date of his death on December 6, 1985.

In view of the foregoing, the Committee on Executive Business advises that no further action by the Senate is authorized or required by the Flor-

ida Constitution. The Committee recommends, therefore, that the Senate take no further action on the above-referenced matter and that this suspension case be closed.

Respectfully submitted,

W. D. Childers, Chairman
Franklin B. Mann, Vice Chairman
Betty Castor

Toni Jennings
Patrick K. Neal

Senator W. D. Childers moved that the Senate accept the foregoing report of the committee and take no further action on the suspension of Jessie H. Leigh, County Court Judge, Duval County, Florida, and that the suspension case be closed. The motion was adopted.

The Honorable Harry A. Johnston, II
President of the Senate

March 4, 1986

RE: Suspension of:

JAMES R. LAWSON
School Board Member
Bradford County, Florida

Dear Mr. President:

The Committee on Executive Business submits this final report on the matter of the suspension of James R. Lawson.

By Executive Order Number 85-87, filed with the Secretary of State on April 5, 1985, His Excellency D. Robert Graham, as Governor, suspended James R. Lawson as a member of the School Board of Bradford County, Florida.

The Committee finds that James R. Lawson resigned as a member of the School Board in Bradford County on April 24, 1985, which was accepted and filed by the Governor on April 26, 1985. Subsequent to April 26, 1985, Mr. James R. Lawson submitted an amended resignation effective April 5, 1985, the date of his suspension, which was accepted and filed by the Governor on November 8, 1985.

In view of the foregoing, the Committee on Executive Business advises that no further action by the Senate is authorized or required by the Florida Constitution. The Committee recommends, therefore, that the Senate take no further action on the above-referenced matter and that this suspension case be closed.

Respectfully submitted,

W. D. Childers, Chairman
Franklin B. Mann, Vice Chairman
Betty Castor

Toni Jennings
Patrick K. Neal

Senator W. D. Childers moved that the Senate accept the foregoing report of the committee and take no further action on the suspension of James R. Lawson, School Board Member, Bradford County, Florida, and that the suspension case be closed. The motion was adopted.

The Honorable Harry A. Johnston, II
President of the Senate

November 6, 1985

Dear Mr. President:

The Committee on Executive Business submits this final report on the matter of the suspension of Walter G. Jarrell.

By Executive Order Number 84-127, filed with the Secretary of State on June 29, 1984, His Excellency D. Robert Graham, as Governor, suspended Walter G. Jarrell as a member of the Board of Trustees of Florida Junior College at Jacksonville, Florida.

The Committee finds that Walter G. Jarrell was adjudged guilty of a felony and under the provisions of section 114.01(1)(j), Florida Statutes, is ineligible to hold office. Also, his term of office as a member of the Board of Trustees of Florida Junior College at Jacksonville, Florida, expired on May 31, 1985.

In view of the foregoing, the Committee on Executive Business advises that no further action by the Senate is required by law. The Committee recommends, therefore, that the Senate take no further action on the above-referenced matter and this suspension case be closed.

Respectfully submitted,

W. D. Childers, Chairman
Franklin B. Mann, Vice Chairman
Betty Castor

Toni Jennings
Patrick K. Neal

Senator W. D. Childers moved that the Senate accept the foregoing report of the committee and take no further action on the suspension of Walter G. Jarrell, Member, Board of Trustees of Florida Junior College at Jacksonville, and that the suspension case be closed. The motion was adopted.

The Honorable Harry A. Johnston, II
President of the Senate

March 4, 1986

RE: Suspension of:

FRED A. ANDERSON
County Commissioner
Hillsborough County, Florida

Dear Mr. President:

The Committee on Executive Business submits this final report on the matter of the suspension of Fred A. Anderson.

By Executive Order Number 83-22, filed with the Secretary of State on February 2, 1983, His Excellency D. Robert Graham, as Governor, suspended Fred A. Anderson from the Office of County Commissioner of Hillsborough County, Florida. The term of office for Mr. Anderson as County Commissioner of Hillsborough County was from November 18, 1980 to November 19, 1984.

Executive Order Number 83-22, with complaint and affidavit attached, charged that Fred A. Anderson, while holding the aforesaid office, committed criminal violations of the laws of the United States, viz: the offense of obstructing, delaying, and affecting commerce by extortion in violation of Title 18, United States Code, Section 1951. The Executive Order further stated that the facts alleged constituted the offenses of malfeasance, misfeasance, and/or the commission of a felony which are grounds for suspension under Section 7 of Article IV, Florida Constitution, 1968 Revision.

Criminal prosecution of Fred A. Anderson was commenced in the U. S. District Court of the Middle District of Florida, Tampa Division, where he was indicted on two counts of violation of 18 U.S.C. 1951 on March 31, 1983 (Case No. 83-26) and four additional counts on April 29, 1983 (Cases No. 83-39 and 83-40). Fred A. Anderson entered a plea of not guilty in Case No. 83-26 on April 7, 1983. The Government requested dismissal of Cases No. 83-39 and 83-40 on July 29, 1983, and the motion was granted on August 1, 1983.

On July 18, 1983, a federal jury found Fred A. Anderson guilty of extortion and conspiracy to commit extortion in Case No. 83-26. He was sentenced to eight years in prison on both counts to run concurrently on September 15, 1983 by U. S. District Court Judge George C. Carr. On the same date, Fred A. Anderson filed an appeal to the Eleventh Circuit Court of Appeals. On May 28, 1985, the opinion of the trial court was affirmed. Fred A. Anderson filed a Motion to Adopt a Petition for Rehearing on June 14, 1985. This petition was denied on August 1, 1985. Fred A. Anderson then filed a Petition to Stay Mandate on August 6, 1985, which was denied on August 16, 1985. A subsequent petition of Writ of Certiorari to the United States Supreme Court was denied on November 18, 1985.

The Senate assumed jurisdiction of this matter on February 3, 1983 and this matter was referred to the Senate Committee on Executive Business on February 17, 1983. Proceedings by the Committee were stayed, pursuant to Senate Rule 12.7(b), during the pendency of criminal prosecution of the trial court and the exhaustion of all appellate remedies. With the adjudication of guilt on the two felony counts, pursuant to Section 4 of Article VI, Florida Constitution, 1968 Revision, Fred A. Anderson became legally ineligible to hold public office.

Based upon the investigation of this Committee, it is the finding of this Committee that Fred A. Anderson was suspended from the Office of County Commissioner, Hillsborough County, Florida on February 2, 1983, that Fred A. Anderson was adjudicated guilty of two counts of violation of 18 U.S.C. 1951; that such acts constituted malfeasance, misfeasance, and commission of a felony under the laws of the United States; that Fred A. Anderson has not contested his suspension on his own behalf, nor shown any cause why the Senate should not take further action to remove him from office.

In view of the foregoing, it is the recommendation that Fred A. Anderson be removed from the Office of County Commissioner of Hillsborough County, Florida, effective February 2, 1983.

Respectfully submitted,

W. D. Childers, Chairman
Franklin B. Mann, Vice Chairman
Betty Castor

Toni Jennings
Patrick K. Neal

Senator W. D. Childers moved that the Senate accept the foregoing report of the committee and remove Fred A. Anderson, County Commissioner, Hillsborough County, Florida, from office effective February 2, 1983. The motion was adopted by the following vote:

Yeas—35

Mr. President	Frank	Johnson	Neal
Beard	Girardeau	Kirkpatrick	Peterson
Castor	Gordon	Langley	Scott
Childers, D.	Grant	Malchon	Stuart
Childers, W. D.	Grizzle	Mann	Thomas
Crawford	Hair	Margolis	Thurman
Crenshaw	Hill	McPherson	Vogt
Dunn	Jenne	Meek	Weinstein
Fox	Jennings	Myers	

Nays—None

The Honorable Harry A. Johnston, II
President of the Senate

March 4, 1986

RE: Suspension of:

JOSEPH H. KOTVAS, JR.
County Commissioner
Hillsborough County, Florida

Dear Mr. President:

The Committee on Executive Business submits this final report on the matter of the suspension of Joseph H. Kotvas, Jr.

By Executive Order Number 83-21, filed with the Secretary of State on February 2, 1983, His Excellency D. Robert Graham, as Governor, suspended Joseph H. Kotvas, Jr. from the Office of County Commissioner of Hillsborough County, Florida. The term of office for Mr. Kotvas as County Commissioner of Hillsborough County was from November 18, 1980 to November 19, 1984.

Executive Order Number 83-21, with complaint and affidavit attached, charged that Joseph H. Kotvas, Jr., while holding the aforesaid office, committed criminal violations of the laws of the United States, viz: the offense of obstructing, delaying and affecting commerce by extortion in violation of Title 18, United States Code, Section 1951. The Executive Order further stated that the facts alleged constituted the offenses of malfeasance, misfeasance, and/or the commission of a felony which are grounds for suspension under Section 7 of Article IV, Florida Constitution, 1968 revision.

Criminal prosecution of Joseph H. Kotvas, Jr. was commenced in the U.S. District Court of the Middle District of Florida, Tampa Division, where he was indicted on two counts of violation of 18 U.S.C. 1951 on March 31, 1983 (Case No. 83-26), and four additional counts on April 29, 1983 (Cases No. 83-39 and 83-40). Joseph H. Kotvas, Jr. entered a plea of not guilty in Case No. 83-26 on April 7, 1983. The government requested dismissal of Cases No. 83-39 and 83-40 on July 29, 1983, and the motion was granted on August 1, 1983.

On July 18, 1983, a federal jury found Joseph H. Kotvas, Jr. guilty of extortion and conspiracy to commit extortion in Case No. 83-26. He was sentenced to eight years in prison on both counts to run concurrently on September 15, 1983 by U.S. District Court Judge George C. Carr. On the same date, Joseph H. Kotvas, Jr. filed an appeal to the Eleventh Circuit Court of Appeals. On May 28, 1985, the opinion of the trial court was affirmed. Joseph H. Kotvas, Jr. then filed a Motion to Adopt Petition for Rehearing filed by Fred A. Anderson on June 17, 1985. This petition was denied on August 27, 1985. A subsequent petition of Writ of Certiorari to the United States Supreme Court was denied on November 4, 1985.

The Senate assumed jurisdiction of this matter on February 3, 1983, and this matter was referred to the Senate Committee on Executive Business on February 17, 1983. Proceedings by the Committee were stayed, pursuant to Senate Rule 12.7(b), during the pendency of criminal prosecution in the trial court and the exhaustion of all appellate remedies. With the adjudication of guilt on two felony counts, pursuant to Section 4 of Article VI, Florida Constitution, 1968 Revision, Joseph H. Kotvas, Jr. became legally ineligible to hold public office.

Based upon the investigation of this Committee, it is the finding of this Committee that Joseph H. Kotvas, Jr. was suspended from the office of County Commissioner, Hillsborough County, Florida on February 2,

1983, that Joseph H. Kotvas, Jr. was adjudicated guilty of two counts of violation of 18 U.S.C. 1951; that such acts constituted malfeasance, misfeasance and commission of a felony under the laws of the United States; that Joseph H. Kotvas, Jr. has not contested his suspension on his own behalf, nor shown any cause why the Senate should not take further action to remove him from office.

In view of the foregoing, it is the recommendation that Joseph H. Kotvas, Jr. be removed from the Office of County Commissioner of Hillsborough County, Florida, effective February 2, 1983.

Respectfully submitted,

W. D. Childers, Chairman *Toni Jennings*
Franklin B. Mann, Vice Chairman *Patrick K. Neal*
Betty Castor

Senator W. D. Childers moved that the Senate accept the foregoing report of the committee and remove Joseph H. Kotvas, Jr., County Commissioner, Hillsborough County, Florida, from office effective February 2, 1983. The motion was adopted by the following vote:

Yeas—36

Mr. President	Fox	Jennings	Myers
Beard	Frank	Johnson	Neal
Castor	Girardeau	Kirkpatrick	Plummer
Childers, D.	Gordon	Langley	Scott
Childers, W. D.	Grant	Malchon	Stuart
Crawford	Grizzle	Mann	Thomas
Crenshaw	Hair	Margolis	Thurman
Deratany	Hill	McPherson	Vogt
Dunn	Jenne	Meek	Weinstein

Nays—None

The Honorable Harry A. Johnston, II
President, The Florida Senate

May 6, 1986

Dear Mr. President:

The following executive appointments were referred to the Senate Committee on Executive Business for action pursuant to Rule 12.7(a) of the Rules of the Florida Senate:

	<i>For Term Ending</i>
<i>Office and Appointment</i>	
State Athletic Commission, Member Appointee: Crady, Morris A.	09/30/89
Barbers' Board, Member Appointee: Baldy, James H.	11/22/89
Board of Building Codes and Standards, Members Appointees: Black, Thomas M. Burnett, Edson C. Conrad, Robert S. Gauchat, Jr., William H.	01/06/89 02/11/89 01/13/89 04/05/89
Career Service Commission, Members Appointees: Brown, Betty P. Kerns, David V.	11/22/88 11/22/88
Board of Chiropractic, Member Appointee: Woodruff, Sandra A.	08/01/89
Hillsborough County Civil Service Board, Members Appointees: Barrington, Glenn Batcho, Patricia Joan Dunn, Charles D. Greco, Dana H. White, Robert A.	07/02/89 07/02/89 07/02/89 07/02/89 07/02/87
Board of Trustees of Brevard Community College, Members Appointees: Jones, John Henry Williams, Jr., Ralph M.	05/31/87 05/31/89
Board of Trustees of Central Florida Community College, Member Appointee: Latiff, Stephen G.	05/31/89

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Board of Trustees of Edison Community College, Members Appointees: Asbell, John R. Wotitzky, Leo	05/31/89 05/31/89	Board of Trustees of Tallahassee Community College, Member Appointee: D'Alemberte, Richard W.	05/31/89
Board of Trustees of Florida Junior College at Jacksonville, Member Appointee: Wilson, Nathan H.	05/31/89	Board of Trustees of Valencia Community College, Members Appointees: Keen, Allan Enright Luzadder, Peggy Sue Martinez, Rafael E.	05/31/89 05/31/89 05/31/89
Board of Trustees of Gulf Coast Community College, Members Appointees: Griffin, Frank C. King, Robert E. Sowell, Helen	05/31/89 05/31/89 05/31/89	Education Practices Commission, Member Appointee: Granitz, H. F.	09/30/89
Board of Trustees of Hillsborough Community College, Members Appointees: Clark, Harold H. Williams, Julia B.	05/31/89 05/31/89	Education Standards Commission, Member Appointee: Adair, Gerald E.	09/30/88
Board of Trustees of Lake City Community College, Members Appointees: Johns, N. J. McRae, Jr., Barney E. Rivers, Wilson S.	05/31/89 05/31/89 05/31/89	Tampa-Hillsborough County Expressway Authority, Member Appointee: Bissett, Jr., William P.	07/01/89
Board of Trustees of Lake-Sumter Community College, Members Appointees: Cox, Thomas E. Patrowicz, Tully Colcord Thornton, Randall N.	05/31/89 05/31/89 05/31/89	Florida State Fair Authority, Congressional District 2, Member Appointee: Dukes, Neal M.	06/30/88
Board of Trustees of Manatee Community College, Members Appointees: Graser, Merle L. Woodson, James	05/31/87 05/31/89	Florida State Fair Authority, Congressional District 3, Member Appointee: Godwin, Russell J.	06/30/89
Board of Trustees of Miami-Dade Community College, Member Appointee: Gill, Daniel K.	05/31/89	Florida State Fair Authority, Congressional District 7, Member Appointee: Kaney, T. Michael	06/30/89
Board of Trustees of North Florida Junior College, Member Appointee: Drury, Willene W.	05/31/89	Game and Fresh Water Fish Commission, Member Appointee: Bostick, Bill	01/04/91
Board of Trustees of Okaloosa-Walton Junior College, Member Appointee: Hill, Charlie H.	05/31/89	Harbor Master for the Port of Fernandina Appointee: Kavanaugh, William Hardee	12/05/87
Board of Trustees of Palm Beach Junior College, Members Appointees: Hand, Frances R. Lichtblau, Philip O.	05/31/89 05/31/89	Harbor Master for the Port of Ft. Pierce Appointee: Ergle, Walter W.	09/26/87
Board of Trustees of Pensacola Junior College, Members Appointees: Boyd, Charles Flynn Lemley, Nancy C. Thames, Gale H.	05/31/89 05/31/89 05/31/89	Harbor Master for the Port of Panama City Appointee: Hobbs, Emory G.	07/01/87
Board of Trustees of St. Johns River Community College, Members Appointees: Daniels, John W. Hudson, Robert E. Keyes, Annie Lee	05/31/89 05/31/89 05/31/89	Hospital Cost Containment Board, Members Appointees: Cassel, Marwin S. Cowart, Marie E. Hart, Jr., James W. Levin, Peter J.	01/01/88 01/01/89 01/01/86 01/01/89 01/01/86 01/01/89
Board of Trustees of St. Petersburg Junior College, Member Appointee: Lang, Joseph H.	05/31/89	Citrus County Hospital Board, Members Appointees: Kofmehl, Charles Phillip Manning, Garry L.	07/05/89 07/11/89
Board of Trustees of Santa Fe Community College, Members Appointees: Ayers, Isabelle E. Carnes, Jimmy Gruen, Donna Lee	05/31/87 05/31/89 05/31/89	Board of Trustees of South Lake County Hospital District, Members Appointees: Bill, Kenneth C. Edwards, Brian S. Jordan, Lennon D. Kanally, David A. Wickham, Donald C.	07/05/89 07/05/89 07/05/89 07/05/89 07/05/89
Board of Trustees of Seminole Community College, Member Appointee: Russell, Dora Lee	05/31/89	Florida Housing Finance Agency, Member Appointee: Camner, Alfred R.	11/13/86
Board of Trustees of South Florida Community College, Members Appointees: Anderson, Louis C. Britt, Helen B.	05/31/89 05/31/89	State Board of Independent Colleges and Universities, Member Appointee: Johnson, Janet R.	09/30/88
		Southeast Interstate Low-Level Radioactive Waste Management Commission, Member Appointee: Hodes, Richard S.	06/30/87
		Board of Landscape Architecture, Member Appointee: Hodges, Patrick K.	03/04/89
		Governor's Mansion Commission, Members Appointees: Ausley, Sallie M. Bedell, Bettie M. Culpepper, Cynthia L.	09/30/87 09/30/89 09/30/89

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Marine Fisheries Commission, Members Appointees: Fraser, Thomas H. Kipnis, Dan	08/01/89 08/01/89	Governing Board of the St. Johns River Water Management District, Member Appointee: Gray, Sandra H.	07/01/89
Board of Massage, Member Appointee: DiMaio, Mercedes B.	01/01/89	Oklawaha River Basin Board of the St. Johns River Water Management District, Members Appointees: Anderson, James "Jack" Struthers, Orville W.	06/30/88 06/30/88
Board of Nursing, Member Appointee: Stark, Jeanne	08/01/89	Governing Board of the South Florida Water Management District, Member Appointee: Corbin, Jr., Oscar M.	07/01/89
Board of Pilot Commissioners, Member Appointee: Bolton, Jr., Joseph C.	06/30/86	Big Cypress Basin Board of the South Florida Water Management District, Members Appointees: Evanish, Marilyn B. Price, Jr., John E.	06/30/88 06/30/88
Jacksonville Port Authority, Member Appointee: Martin, Jr., James E.	09/30/89	Governing Board of the Southwest Florida Water Management District, Members Appointees: Harrell, Jr., Roy G. Herndon, Horace F. Samson, Bruce A.	07/01/88 07/01/88 07/01/88
Tampa Port Authority, Member Appointee: Garcia, Joseph	11/16/89	Alafia River Basin Board of the Southwest Florida Water Management District, Members Appointees: Davis, J. D. Major, Paul C. Roderick, Robert Lee Varnum, A. H. (Hank)	06/30/86 06/30/88 06/30/88 06/30/88
Historic Broward County Preservation Board of Trustees, Members Appointees: Dickey, Constance L. Veltri, Genevieve S.	11/01/88 11/01/88	Coastal Rivers Basin Board of the Southwest Florida Water Management District, Members Appointees: Barnes, Sr., Charles Prescott Grey, John R.	06/30/88 06/30/88
Historic St. Augustine Preservation Board of Trustees, Members Appointees: Gannon, Michael V. Lewis, Jr., Lawrence	08/13/89 08/04/89	Hillsborough River Basin Board of the Southwest Florida Water Management District, Members Appointees: Bailey, A. Donald Espinola, Sylvia A. Fernandez, Alvaro Sapp, Bobby L.	06/30/88 06/30/86 06/30/87 06/30/88
Historic Tampa-Hillsborough County Preservation Board of Trustees, Members Appointees: Fleischman, Jr., Sol Waterman, Patricia	11/01/89 11/01/89	Manasota Basin Board of the Southwest Florida Water Management District, Members Appointees: Bishopric, Anne M. Bryant, Calvin Longino, Berryman T. Rathke, Edwin T. Whelan, John J.	06/30/86 06/30/87 06/30/88 06/30/87 06/30/88
Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc., Member Appointee: Lewis-Brent, Lana Jane	09/30/89	Northwest Hillsborough County Basin Board of the Southwest Florida Water Management District, Members Appointees: Carullo, Nicholas D. Gadson, Robert E. Jackson, II, Frank D.	06/30/87 06/30/87 06/30/88
Board of Psychological Examiners, Members Appointees: Biasco, Frank Powers, Patsey J.	09/30/89 09/30/89	Peace River Basin Board of the Southwest Florida Water Management District, Members Appointees: Daniels, C. Lamar Ferguson, Sherida L. Layne, James N. Wilcox, William H.	06/30/88 06/30/86 06/30/88 06/30/88
Florida Public Service Commission, Members Appointees: Herndon, John T. Wilson, Michael McKinnon	01/01/87 01/01/86 01/01/90	Pinellas-Anclote River Basin Board of the Southwest Florida Water Management District, Members Appointees: Knowlton, David H. Starkey, Jr., Jay B.	06/30/88 06/30/88
Florida Real Estate Commission, Member Appointee: G.-Montes, Pilar	11/16/86	Withlacoochee River Basin Board of the Southwest Florida Water Management District, Member Appointee: Hunt, Norvell W.	06/30/88
Board of Regents, Member Appointee: Ausley, DuBose	01/01/92	As required by Rule 12.7(a), the committee caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the offices indicated. In aid of such inquiry the committee held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of each appointee.	
West Florida Regional Planning Council, Region 1, Members Appointees: Goldenberg, Stanley F. Hardaway, Phyllis R. Tice, Jr., John P.	10/01/86 10/01/86 10/01/86		
Apalachee Regional Planning Council, Region 2, Member Appointee: Sumner, Marian L.	10/01/87		
North Central Florida Regional Planning Council, Region 3, Member Appointee: Lake, Oliver J.	10/01/86		
Northeast Florida Regional Planning Council, Region 4, Members Appointees: Cooksey, Edgar (Ed) L. Hood, Charles H.	10/01/86 10/01/88		
Treasure Coast Regional Planning Council, Region 10, Member Appointee: Hendry, III, Archie A.	10/01/88		
Unemployment Appeals Commission, Chairman Appointee: Dyal, R. Carson	06/30/89		
Governing Board of the Northwest Florida Water Management District, Members Appointees: Bond, W. Fred Coldewey, Tom S. Harbison, Candis M.	07/01/89 07/01/89 07/01/89		

After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the committee, by a separate vote as to each appointee, respectfully advises and recommends:

- (1) That the executive appointments of the above-named appointees, to the office and for the term indicated, be *confirmed* by the Senate.
- (2) That Senate action on said appointments be taken prior to the adjournment of the 1986 Regular Session.
- (3) That there is no necessity known to the committee for the deliberations on said appointments to be held in executive session.

Respectfully submitted,

W. D. Childers, Chairman Toni Jennings
Franklin B. Mann, Vice Chairman Patrick K. Neal
Betty Castor

On motion by Senator W. D. Childers, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated, in accordance with the recommendations of the committee. The vote was:

Yeas—37

Mr. President	Fox	Kirkpatrick	Plummer
Barron	Frank	Langley	Scott
Beard	Girardeau	Malchon	Stuart
Castor	Gordon	Mann	Thomas
Childers, D.	Grant	Margolis	Thurman
Childers, W. D.	Grizzle	McPherson	Vogt
Crawford	Hair	Meek	Weinstein
Crenshaw	Hill	Myers	
Deratany	Jennings	Neal	
Dunn	Johnson	Peterson	

Nays—None

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

First Reading

The Honorable Harry A. Johnston, II, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 332, HB 336, CS for HB 439, House Bills 788, 957, 1006, 1009, 1039; has passed as amended CS for HB 4, House Bills 52, 79, 203, CS for HB 270, HB 278, CS for HB 700, House Bills 750, 1008; has adopted HCR 1132 and requests the concurrence of the Senate.

Allen Morris, Clerk

By the Committee on Health & Rehabilitative Services and Representative Casas—

CS for HB 332—A bill to be entitled An act relating to food products; adding a new section to chapter 381, F.S.; prohibiting certain possession of sulfiting agents by public food service establishments; providing an effective date.

—was referred to the Committees on Health and Rehabilitative Services; and Commerce.

By Representative Hanson and others—

HB 336—A bill to be entitled An act relating to water control districts; amending ss. 298.365 and 298.54, F.S.; revising the date for certification of levy of an annual installment tax or maintenance tax to the property appraiser; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; and Finance, Taxation and Claims.

By the Committee on Criminal Justice and Representative Morgan and others—

CS for HB 439—A bill to be entitled An act relating to sexual offenses involving children; amending ss. 827.071, 847.012, 847.0125, 847.013, F.S.; revising definitions for and the elements of the crimes of sexual performance by a child, sale or distribution of harmful materials to a child, retail display of materials harmful to minors, and exposing minors to harmful motion pictures, exhibitions, shows, presentations, or representations; providing an effective date.

—was referred to the Committee on Judiciary-Criminal.

By Representatives Messersmith and Shelley—

HB 788—A bill to be entitled An act relating to real estate licensure; amending s. 475.011, F.S.; providing that ch. 475, F.S., relating to real estate brokers, salesmen, and schools, does not apply to certain employees of an owner, or broker for an owner, of an apartment community; providing an effective date.

—was referred to the Committee on Economic, Community and Consumer Affairs.

By the Committee on Community Affairs and Representative Martin—

HB 957—A bill to be entitled An act relating to formation of local governments; amending s. 165.041, F.S.; deleting provisions relating to initiation of procedures for incorporation by resolution or petition; providing an effective date.

—was referred to the Committee on Economic, Community and Consumer Affairs.

By Representative Wetherell—

HB 1006—A bill to be entitled An act relating to the naming of state buildings; authorizing and directing the Board of Regents of the State University System to name the former university president's residence at Florida State University the "Gus A. Stavros Center for the Advancement of Free Enterprise and Economic Education"; providing an effective date.

—was referred to the Committee on Education.

By Representative Wetherell—

HB 1009—A bill to be entitled An act relating to the naming of state buildings; directing the Board of Regents of the State University System to name the health center building at Florida State University the "Norman E. Thagard Health Center Building"; providing an effective date.

—was referred to the Committee on Education.

By Representative Hodges—

HB 1039—A bill to be entitled An act relating to county boundaries; amending ss. 7.19 and 7.65, F.S., to redefine the boundary between Franklin and Wakulla Counties; providing an effective date.

—was referred to the Committees on Economic, Community and Consumer Affairs; and Rules and Calendar.

By the Committees on Appropriations and Regulatory Reform and Representative Grindle and others—

CS for CS for HB 4—A bill to be entitled An act relating to auctions; providing legislative intent; providing definitions; providing certain exemptions from regulation; creating the Florida Board of Auctioneers; providing membership requirements; providing duties and powers; providing immunity for certain acts of the board; establishing licensure requirements, qualifications, and procedures for auctioneers, apprentices, and auction businesses; requiring certain bonds; restricting certain local fees and licenses; providing reciprocity for certain nonresidents; establishing requirements for conducting certain auctions; requiring written agreements; providing exemptions from such agreement requirement; requiring the maintenance of certain records; requiring license display; establishing advertising requirements; prohibiting certain acts and providing for license suspension or revocation; providing for administrative fines; providing for injunction; providing an examination exception for certain persons; providing for compensation and reimbursement to board members; providing a penalty; repealing ss. 839.01, 839.02, and 839.021, F.S., relating to offenses by auctioneers; providing for review and repeal; providing an effective date.

—was referred to the Committees on Economic, Community and Consumer Affairs; Agriculture; and Appropriations.

By Representatives Reddick and Sansom—

HB 52—A bill to be entitled An act relating to education; creating a task force to study the feasibility of implementing programs for full school utilization; providing duties and responsibilities of the task force; providing an effective date.

—was referred to the Committees on Education and Appropriations.

By Representatives Canady and Press—

HB 79—A bill to be entitled An act relating to nursing homes; amending s. 400.022, F.S.; prohibiting certain nursing home licensees from providing distinct areas for Medicaid beds; amending s. 400.023, F.S., to provide that a cause of action may be brought by the personal representative of the estate of a deceased resident of a nursing home under certain circumstances; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By Representative Gardner—

HB 203—A bill to be entitled An act relating to campaign financing; amending s. 106.29, F.S.; requiring disclosure of certain political party funds; amending s. 106.03(1), F.S., requiring all political committees to file on state forms; repealing s. 106.07(8), F.S., relating to filings by certain political committees; amending s. 106.141, F.S.; providing fines for late filing by candidates; providing for notice; providing for appeal; providing for notice of repeated violation, failure to file after notice, and failure to pay the fine imposed; amending s. 106.29, F.S.; providing fines for late filing by state and county executive committees; providing for notice; providing for appeal; providing for notice of repeated violation, failure to file after notice, and failure to pay the fine imposed; amending ss. 106.25, 106.26, and 106.265, F.S.; specifying when certain records and proceedings of the Division of Elections and the Florida Elections Commission relating to violations of campaign financing laws become public; providing that civil penalties may not be paid with campaign funds; providing an effective date.

—was referred to the Committees on Governmental Operations and Judiciary-Civil.

By the Committee on Community Affairs and Representative Martin and others—

CS for HB 270—A bill to be entitled An act relating to pollutant storage tanks or containers; amending s. 489.105, F.S.; providing definitions; amending s. 489.113, F.S.; requiring the Construction Industry Licensing Board to provide standards for installation of pollutant storage tanks or containers and for certification of pollutant storage systems specialty contractors; providing for temporary certification; prohibiting installation of pollutant storage tanks or containers by uncertified contractors; prohibiting issuance of permits for installation of pollutant storage tanks or containers to uncertified contractors; authorizing the Department of Environmental Regulation to inspect pollutant storage tanks or containers; requiring certification of compliance with installation standards; authorizing the department to contract with local governments for administration of certain responsibilities; authorizing enjoining the use or installation of a pollutant storage tank or container installed in violation of part I of chapter 489, F.S.; authorizing a pilot inspection program in one county; preempting certain local inspections in the pilot program county; requiring a report to the Legislature; amending s. 489.127, F.S.; providing a penalty; providing for repeal and review; providing an effective date.

—was referred to the Committees on Natural Resources and Conservation; Finance, Taxation and Claims; and Appropriations.

By Representative Stewart—

HB 278—A bill to be entitled An act relating to elections; amending ss. 101.64 and 101.65, F.S.; deleting from a voter's certificate the requirements to designate party and precinct and to indicate a reason for voting an absentee ballot; amending s. 101.68, F.S.; changing the period in which absentee ballots may be canvassed and counted; changing certain canvassing procedures; amending s. 102.141, F.S.; authorizing alternative sites for meetings of county canvassing boards; providing for notice of meetings of the county canvassing board to canvass absentee ballots; providing an effective date.

(Substituted for SB 161 on the special order calendar this day.)

By the Committee on Health and Rehabilitative Services and Representative Metcalf and others—

CS for HB 700—A bill to be entitled An act relating to health care facilities; amending s. 400.342, F.S.; clarifying the definition of nursing home; amending s. 400.407, F.S.; increasing the penalty for unlawful operation of an unlicensed adult congregate living facility and creating

related offenses; amending s. 400.427, F.S.; expanding prohibitions against facilities and their representatives from acting in certain capacities for residents; requiring certain bonding; changing the frequency in which facilities must report to residents or their representatives regarding their funds or property being held in trust; requiring facilities to provide certain residents with written statements of transactions made on their behalf; prohibiting facilities granted power of attorney from misusing funds; providing a penalty; providing for the return of funds and property of a resident upon his death; providing an effective date.

—was referred to the Committee on Health and Rehabilitative Services.

By Representatives Kelly and Drage—

HB 750—A bill to be entitled An act relating to the Lake Apopka Restoration Council; amending section 2 of chapter 85-148, Laws of Florida; increasing the membership of the council; specifying voting and nonvoting members; providing an effective date.

—was referred to the Committee on Natural Resources and Conservation.

By Representative Wetherell—

HB 1008—A bill to be entitled An act relating to the naming of state buildings; directing the Board of Regents of the State University System to name the music building north at Florida State University the "Wiley L. Housewright Music Building"; directing the Board of Regents of the Division of Universities of the Department of Education to name the computer science building at the University of North Florida in Jacksonville, the "John E. Mathews, Jr., Computer and Information Sciences Building"; providing an effective date.

—was referred to the Committee on Education.

By Representative T.C. Brown—

HCR 1132—A concurrent resolution commending Ernest Ellison for 22 years of outstanding service as Auditor General of the State of Florida.

—was referred to the Committee on Rules and Calendar.

The Honorable Harry A. Johnston, II, President

I am directed to inform the Senate that the House of Representatives has passed Senate Bills 243, 322, 467, 541, 551, 615, CS for SB 631, Senate Bills 716, 847, 923 and CS for SB 848.

Allen Morris, Clerk

The bills contained in the foregoing message were ordered enrolled.

The Honorable Harry A. Johnston, II, President

I am directed to inform the Senate that the House of Representatives has passed with amendments—

SB 280—A bill to be entitled An act relating to the state group insurance program; amending s. 110.123, F.S.; reenacting definitions of "state group health insurance plans" and "state insurance program"; deleting provisions requiring legislative approval of certain Department of Administration activities in administering the program; deleting obsolete language; providing a retroactive effective date; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

Amendment 1—On page 4, line 17, insert:

Section 3. Subsection (4) of section 395.5042, Florida Statutes, is amended to read:

395.5042 Office of Technical Assistance within board.—It is the intent of the Legislature to create a single entity to serve as a focal point for governmental efforts and activities to promote health care cost containment by providing technical assistance to persons, businesses, and purchaser coalitions interested in containing the costs of health care. Therefore, there is created within the Hospital Cost Containment Board the Office of Technical Assistance, which shall include such professional, technical, and clerical staff as may be necessary to enable it to carry out its duties. The Office of Technical Assistance shall:

(4) ~~Coordinate the study required by s. 110.123(5)(d) and Pursue the implementation of mechanisms through which state government will lead by example in the prudent purchase of adequate health services.~~

(Renumber subsequent sections.)

Amendment 2—On page 1, in the title, line 9, insert after “language;”: amending s. 395.5042, F.S., to conform;

On motions by Senator Hill, the Senate concurred in the House amendments. SB 280 passed as amended and was ordered engrossed and then enrolled.

The action of the Senate was certified to the House. The vote on passage was:

Yeas—28

Mr. President	Frank	Langley	Neal
Beard	Grant	Malchon	Peterson
Castor	Grizzle	Mann	Scott
Childers, W. D.	Hill	Margolis	Thomas
Deratany	Jenne	McPherson	Thurman
Dunn	Jennings	Meek	Vogt
Fox	Johnson	Myers	Weinstein

Nays—None

Vote after roll call:

Yea—Hair, Kirkpatrick

On motions by Senator Beard, the rules were waived and by two-thirds vote HB 109 was placed first on the special order calendar.

SPECIAL ORDER

HB 109—A bill to be entitled An act relating to state uniform traffic control; amending ss. 316.082, 316.087, 316.090, 316.271, 316.455, and 324.201, F.S.; restructuring provisions relating to passing vehicles proceeding in opposite directions, limitations on driving to the left of center of a roadway, driving on divided highways, horns and warning devices, certain required equipment, and violations with respect to return of license or registration to the Department of Highway Safety and Motor Vehicles, to provide for a single violation or restriction per statute subdivision; providing an effective date.

—was read the second time by title.

Senator Beard moved the following amendments which were adopted:

Amendment 1—On page 4, line 14, after “motor-driven cycle” insert: *when operated upon a highway*

Amendment 2—On page 4, lines 5 and 8, after “siren” insert: *, whistle, or bell*

Senator Jennings moved the following amendments which were adopted:

Amendment 3—On page 5, between lines 27 and 28, insert:

Section 7. Subsection (2) of s. 316.251, Florida Statutes, is amended to read:

316.251 Maximum bumper heights.—

(2) “*New motor vehicles*” as defined in s. 319.001(4), “*antique cars*” as defined in s. 320.08, “*horseless carriages*” as defined in s. 320.086, and “*street rod*” as defined in s. 320.0863, shall be excluded from the requirements of this section.

(Renumber subsequent section.)

Amendment 4—In title, on page 1, line 14, after the semicolon (;) insert: amending s. 316.251(2), F.S.; relating to exclusions from bumper requirements;

On motion by Senator Beard, by two-thirds vote HB 109 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Frank	Johnson	Peterson
Beard	Girardeau	Kirkpatrick	Plummer
Castor	Gordon	Malchon	Scott
Childers, D.	Grant	Mann	Stuart
Childers, W. D.	Grizzle	Margolis	Thomas
Crawford	Hair	McPherson	Thurman
Crenshaw	Hill	Meek	Vogt
Deratany	Jenne	Myers	Weinstein
Fox	Jennings	Neal	

Nays—None

SB 127—A bill to be entitled An act relating to purchasing; creating s. 817.062, F.S.; prohibiting the submission of bills for goods or services to a state agency, public body, or entity acting under contract to a state agency or public body with the intent to defraud such agency or public body of property or rights to property; providing penalties; authorizing a civil action to recover treble damages; providing an effective date.

—was read the second time by title.

Senator Langley offered the following amendment which was moved by Senator Kirkpatrick and adopted:

Amendment 1—On page 1, lines 26 and 29, strike “\$100” and insert: \$300

On motion by Senator Langley, by two-thirds vote SB 127 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Frank	Johnson	Peterson
Barron	Gersten	Kirkpatrick	Plummer
Beard	Girardeau	Kiser	Scott
Childers, D.	Gordon	Langley	Stuart
Childers, W. D.	Grant	Malchon	Thomas
Crawford	Grizzle	Mann	Thurman
Crenshaw	Hair	Margolis	Vogt
Deratany	Hill	McPherson	Weinstein
Dunn	Jenne	Meek	
Fox	Jennings	Myers	

Nays—None

Vote after roll call:

Yea—Neal

SB 98—A bill to be entitled An act relating to homicide; amending s. 782.071, F.S.; including the killing of a human being by the operation of a vessel within the definition of vehicular homicide; providing penalties; providing an effective date.

—was read the second time by title.

Senator Crenshaw moved the following amendments which were adopted:

Amendment 1—On page 1, strike all of lines 12-18 and insert:

782.071 Vehicular homicide.—

(1) “Vehicular homicide” is the killing of a human being by the operation of a motor vehicle or a vessel as defined in s. 327.02 by another in a reckless manner likely to cause the death of, or great bodily harm to, another. Vehicular homicide is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) Any person who commits vehicular homicide and willfully fails to stop or to comply with the requirements of s. 316.027(1) is guilty of a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Amendment 2—In title, on page 1, line 6, after the semicolon (;) insert: providing an enhanced penalty for persons who commit vehicular homicide and leave the scene of the offense;

On motion by Senator McPherson, by two-thirds vote SB 98 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fox	Jennings	Myers
Barron	Frank	Johnson	Peterson
Beard	Gersten	Kiser	Plummer
Childers, D.	Girardeau	Langley	Scott
Childers, W. D.	Gordon	Malchon	Stuart
Crawford	Grant	Mann	Thomas
Crenshaw	Grizzle	Margolis	Thurman
Deratany	Hair	McPherson	Vogt
Dunn	Hill	Meek	Weinstein

Nays—None

Vote after roll call:

Yea—Jenne, Kirkpatrick, Neal

Consideration of SB 128 was deferred.

Senator Mann presiding

SB 85—A bill to be entitled An act relating to the Legislature; repealing s. 11.13(1)(d), F.S., as created by chapter 85-322, Laws of Florida, relating to requirement for annual adjustment of salaries of members of the Legislature; providing an effective date.

—was read the second time by title.

Senator Frank moved the following amendment:

Amendment 1—On page 1, between lines 12 and 13, insert:

Section 2. Legislative Compensation Study Commission.—

(1) There is created, within the Executive Office of the Governor, the Legislative Compensation Study Commission. The purpose of the commission is to review the compensation and benefits of the members of the Legislature and make specific recommendations to the Legislature at 2-year intervals of changes, if any, deemed appropriate to maintain a broad citizen representation within the Legislature.

(2) The commission shall consist of nine members who are not members of the Legislature. Beginning in 1987 and every odd-numbered year thereafter, three members shall be appointed by the Governor, three members shall be appointed by the President of the Senate, and three members shall be appointed by the Speaker of the House of Representatives. Appointments shall take effect January 1 of every even-numbered year. Members shall serve a term of 2 years. Any vacancy on the commission shall be filled in the same manner as the original appointment.

(3) The commission shall meet on the first Tuesday after the first Monday in January of every even-numbered year for the purpose of organization. The commission shall select from its membership a chairperson and shall establish a regular schedule of meetings. Members shall serve without compensation, but shall be eligible for per diem and travel expenses pursuant to s. 112.061, Florida Statutes.

(4) The commission shall serve as an advisory body and shall make a report of findings and recommendations to the Legislature not later than March 1 of every odd-numbered year.

(5) The Executive Office of the Governor shall provide staff and clerical assistance to the commission as necessary to carry out its duties and make its report.

(Renumber subsequent section.)

Senator Gordon moved the following amendment to Amendment 1 which was adopted:

Amendment 1A—On page 2, between lines 12 and 13, insert:

Section 2. Paragraph (a) of subsection (1) of section 11.13, Florida Statutes, is amended to read:

11.13 Compensation of members.—

(1)(a) The annual salaries of members of the Senate and House of Representatives, payable in 12 equal monthly installments, shall be:

1. The President of the Senate and Speaker of the House of Representatives, \$25,000 each.

2. All other members of the Senate and House of Representatives, \$18,000 each. *This subparagraph expires on July 1, 1989 and shall be reviewed by the Legislature prior to that date.*

(Renumber subsequent section.)

Amendment 1 as amended was adopted.

Senator Frank moved the following amendment which was adopted:

Amendment 2—In title, on page 1, line 6, after the semicolon (;) insert: creating the Legislative Compensation Study Commission within the Executive Office of the Governor; providing for the purpose, membership, appointment, terms of office, meetings, and compensation of the commission; requiring a report; providing for staff and clerical assistance;

Senator Gordon moved the following amendment which was adopted:

Amendment 3—In title, on page 1, line 17, after the semicolon (;) insert: amending s. 11.13, F.S.; providing for expiration of provision relating to salaries for members of the Legislature; providing for review prior to expiration;

On motion by Senator Frank, by two-thirds vote SB 85 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Beard	Girardeau	Kiser	Plummer
Childers, D.	Gordon	Langley	Scott
Childers, W. D.	Grant	Malchon	Stuart
Crawford	Grizzle	Mann	Thomas
Crenshaw	Hair	Margolis	Thurman
Deratany	Hill	McPherson	Vogt
Fox	Jennings	Meek	Weinstein
Frank	Johnson	Myers	
Gersten	Kirkpatrick	Peterson	

Nays—None

Vote after roll call:

Yea—Mr. President, Jenne, Neal

SB 128—A bill to be entitled An act relating to nursing homes; amending s. 400.023, F.S., to provide that a cause of action may be brought by the personal representative of the estate of a deceased resident of a nursing home under certain circumstances; providing an effective date.

—was read the second time by title.

Senator Fox moved the following amendment which was adopted:

Amendment 1—On page 1, line 20, after “resident,” insert: *when the cause of death resulted from the deprivation or infringement of the decedent’s rights.*

On motion by Senator Fox, by two-thirds vote SB 128 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Beard	Gersten	Kirkpatrick	Plummer
Childers, D.	Girardeau	Kiser	Scott
Childers, W. D.	Gordon	Langley	Stuart
Crawford	Grant	Malchon	Thomas
Crenshaw	Grizzle	Mann	Thurman
Deratany	Hair	McPherson	Vogt
Dunn	Hill	Meek	Weinstein
Fox	Jennings	Myers	
Frank	Johnson	Peterson	

Nays—None

Vote after roll call:

Yea—Mr. President, Jenne, Neal

The President presiding

CS for SB 97—A bill to be entitled An act relating to hotels and restaurants; amending s. 509.302, F.S.; providing for the supervision of the Hospitality Education Program by the Division of Hotels and Restaurants of the Department of Business Regulation; repealing s. 509.211(1), F.S., relating to the submission of building plans to the division; providing an effective date.

—was read the second time by title.

Senator Dunn moved the following amendments which were adopted:

Amendment 1—On page 1, after the enacting clause insert:

Section 1. Disorderly conduct on the premises of a public lodging establishment; detention; arrest; immunity from liability.—

(1) The operator of a public lodging establishment, as defined in chapter 509, Florida Statutes, may take a person into custody and detain him in a reasonable manner and for a reasonable time if he has probable cause to believe that the person was engaging in disorderly conduct in violation of s. 877.03, Florida Statutes, on the premises of the public lodging establishment and that such conduct was creating a threat to the life of the person or others. The operator shall call a law enforcement officer to the scene immediately after detaining a person under this subsection.

(2) A law enforcement officer may arrest, either on or off the premises of the public lodging establishment and without a warrant, any person he has probable cause to believe violated s. 877.03, Florida Statutes, on the premises of a public lodging establishment and, in the course of such violation, created a threat to the life of himself or others.

(3) An operator of a public lodging establishment or a law enforcement officer who detains a person under subsection (1) or makes an arrest under subsection (2) shall not be civilly or criminally liable for false arrest, false imprisonment, or unlawful detention on the basis of any action taken in compliance with subsection (1) or subsection (2).

(4) A person who resists the reasonable efforts of an operator of a public lodging establishment or a law enforcement officer to detain or arrest him in accordance with this section is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes, unless the person did not know or did not have reason to know that the person seeking to detain or arrest him was the operator of the establishment or a law enforcement officer.

Section 2. Section 877.03, Florida Statutes, reads:

877.03 Breach of the peace; disorderly conduct.—Whoever commits such acts as are of a nature to corrupt the public morals, or outrage the sense of public decency, or affect the peace and quiet of persons who may witness them, or engages in brawling or fighting, or engages in such conduct as to constitute a breach of the peace or disorderly conduct, shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(Renumber subsequent sections.)

Amendment 2—In title, on page 1, line 2, strike "hotels and restaurants" and insert: public lodging and public food service establishments; authorizing the operator of a public lodging establishment to detain a person he has probable cause to believe was engaging in life-threatening disorderly conduct on the premises of the establishment; providing for warrantless arrest of a person a law enforcement officer has probable cause to believe was engaging in life-threatening disorderly conduct on the premises of a public lodging establishment; providing immunity from civil or criminal liability; providing penalties for knowingly resisting such detention or arrest;

On motion by Senator McPherson, by two-thirds vote CS for SB 97 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Deratany	Girardeau	Hill
Beard	Dunn	Gordon	Jennings
Childers, D.	Fox	Grant	Johnson
Childers, W. D.	Frank	Grizzle	Kirkpatrick
Crawford	Gersten	Hair	Kiser

Langley	McPherson	Peterson	Thomas
Malchon	Meek	Plummer	Thurman
Mann	Myers	Scott	Vogt
Margolis	Neal	Stuart	Weinstein

Nays—None

Vote after roll call:

Yea—Jenne

On motion by Senator Mann, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Harry A. Johnston, II, President

I am directed to inform the Senate that the House of Representatives has passed—

CS for HB 386—A bill to be entitled An act relating to geophysical operations; amending s. 377.2424, F.S.; providing a permit condition that surety bonds in an amount sufficient to protect areas upon which geophysical activities are conducted be posted; providing that applicants for geophysical permits contract with persons to accompany geophysical crews to perform certain duties; providing an effective date.

—and requests the concurrence of the Senate.

Allen Morris, Clerk

On motion by Senator Mann, by unanimous consent CS for HB 386 was taken up out of order. On motions by Senator Mann, by two-thirds vote CS for HB 386 was read the second time by title, and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Frank	Jennings	Meek
Beard	Gersten	Johnson	Myers
Childers, D.	Girardeau	Kirkpatrick	Peterson
Childers, W. D.	Gordon	Kiser	Plummer
Crawford	Grant	Langley	Scott
Crenshaw	Grizzle	Malchon	Stuart
Deratany	Hair	Mann	Thomas
Dunn	Hill	Margolis	Thurman
Fox	Jenne	McPherson	Weinstein

Nays—None

On motion by Senator Frank, the rules were waived and CS for SB 352 after being engrossed was ordered immediately certified to the House.

SPECIAL ORDER, continued

CS for SB 183—A bill to be entitled An act relating to dental practitioners; amending s. 466.001, F.S.; providing purpose and legislative intent; amending s. 466.002, F.S.; providing exemption of a qualified anesthetist from certain regulations; amending s. 466.003, F.S.; defining "dentistry," "irremediable tasks," and "remediable tasks"; amending s. 466.004, F.S.; prescribing the qualifications of and providing for the appointment of board members; amending s. 466.006, F.S.; providing for dentists' licensure examinations; amending s. 466.007, F.S.; providing for the dental hygiene licensure examinations; amending s. 466.009, F.S.; providing for reexaminations; amending s. 466.0135, F.S.; specifying continuing education requirements for dentists and specifying associations which may offer continuing education programs; amending s. 466.014, F.S.; specifying continuing education requirements for dental hygienists, and providing for the procedure for submitting proof of required dental hygiene continuing education; amending s. 466.015, F.S.; providing for inactive status of licensees; amending s. 466.017, F.S.; providing for administration of anesthesia by dentists; amending s. 466.018, F.S.; providing for the maintenance of patient records; amending s. 466.019, F.S.; regulating advertising by dentists; amending s. 466.021, F.S.; regulating employment of unlicensed persons by dentists; amending s. 466.023, F.S.; prescribing the scope of practice of dental hygienists; amending s. 466.024, F.S.; limiting dentists' employment and supervision of dental hygienists and expanded functions auxiliaries; amending s. 466.026, F.S.; proscribing certain acts and providing penalties; amending s. 466.028, F.S.; prescribing grounds for disciplinary action; amending s. 466.0285, F.S.; prohibiting nondentists from owning a dental office or dental equip-

ment; amending s. 466.031, F.S.; defining "dental laboratory"; amending s. 466.032, F.S.; providing for the registration of dental laboratories; amending s. 466.0395, F.S.; providing a savings clause; creating s. 466.084, F.S.; creating an impaired-professional's committee and establishing its duties; amending s. 627.912, F.S.; providing reporting requirements for insurers regarding professional liability claims and actions; reviving and readopting chapter 466, F.S., as amended; providing for future repeal and sunset review; repealing s. 466.006(4)(c), F.S., relating to manual skills examinations; providing an effective date.

—was taken up with pending Amendment 2.

Senator Gordon moved the following substitute amendment which failed:

Amendment 3—On page 27, lines 16-31, and on page 28, lines 1 and 2, strike all of said lines and insert:

(3) *Dental hygienists may perform dental and oral screenings on patients without prior examination by a dentist, provided a prescription for such services has been issued by a physician or dentist.*

(4)(3) Dental hygienists may, without supervision, provide educational programs, faculty or staff training programs, authorized fluoride rinse programs, and other services as approved by rule of the board, in:

(a) Public, private, and parochial schools licensed by the Department of Education; and

(b) Private, nonprofit, charitable, community, and eleemosynary institutions and programs.

(4) ~~The board by rule may limit the number of dental hygienists and dental auxiliaries who work under the supervision of a dentist or who perform expanded duties pursuant to the provisions of this chapter. However, the Department of Health and Rehabilitative Services and public institutions approved by the board shall not be so limited as to the number of dental hygienists or dental auxiliaries working under the supervision of a licensed dentist.~~

(5) Dental hygienists are exempt from the provisions of part V of chapter 468.

Amendment 2 failed.

Senator Kiser moved the following amendment which failed:

Amendment 4—On page 32, line 17, after the period (.) insert:

(hh) *Supervising any person in the administration of anesthesia unless qualified himself by the board to administer the mode of anesthesia which he is supervising.*

Senator Myers moved the following amendment which was adopted:

Amendment 5—On page 18, line 10, after "order" insert: *such*

On motion by Senator Frank, by two-thirds vote CS for SB 183 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Mr. President	Frank	Kirkpatrick	Peterson
Barron	Girardeau	Kiser	Plummer
Beard	Gordon	Langley	Scott
Childers, D.	Grant	Malchon	Stuart
Childers, W. D.	Grizzle	Mann	Thomas
Crawford	Hair	Margolis	Thurman
Crenshaw	Hill	McPherson	Vogt
Deratany	Jennings	Meek	Weinstein
Dunn	Johnson	Myers	

Nays—2

Fox Gersten

Vote after roll call:

Yea—Jenne, Neal

Senator Hair presiding

CS for SB 873—A bill to be entitled An act relating to telecommunications; amending ss. 166.231, 203.01, 203.012, 203.013, 203.60, 203.63, 212.05, F.S.; specifying applicability of municipal public service tax on telecommunication services; authorizing municipalities to audit certain telecommunication service providers; providing confidentiality; specifying applicability of state tax on operating costs of private telecommunication systems; defining "gross receipts" for telecommunication services, "telecommunication service," and "interstate" for purposes of gross receipts tax; providing for calculation of gross receipts tax on interstate telecommunications service, interstate teletypewriter or computer exchange service, and interstate private communication services; providing a limit on sales taxes imposed on certain telecommunication service providers; providing for administration; amending s. 337.401, F.S.; authorizing municipalities to impose an annual license fee on certain telecommunication service providers for certain purposes; providing an effective date.

—was read the second time by title.

Senator Margolis moved the following amendments which were adopted:

Amendment 1—On page 2, lines 28-31, and on page 3, line 1, strike all of said lines and insert: *amount charged for any telecommunications service provided within the municipality or, if the location of the telecommunications service provided cannot be determined, the total amount billed for such telecommunications service to a telephone or telephone number, a telecommunications number or device, or a customers' billing address located within the municipality, charge for such service excluding*

Amendment 2—On page 3, line 2, before "access" insert: *charges for any foreign exchange service or any private line service except when such services are used or sold as a substitute for any telephone company switched service or dedicated facility by which a telephone company provides a communication path,*

Amendment 3—On page 5, strike all of lines 14-16 and insert:

Section 3. Paragraph (b) of subsection (2) of section 203.012, Florida Statutes, is amended, and subsection (8) is added to said section to read:

Amendment 4—On page 6, lines 19-31, on page 7, lines 1-4, and on page 8, lines 8-13, strike all of said lines

Amendment 5—On page 6, line 8 strike "of"

Amendment 6—On page 7, lines 11 and 12, strike "and paragraph (c) is added to subsection (1) of said section"

Amendment 7—On page 9, lines 17-31, and on page 10, lines 1-5, strike all of said lines and insert:

Section 6. Paragraph (h) of subsection (1) of section 212.05, Florida Statutes, is amended, and paragraph (i) is added to said subsection, to read:

212.05 Sales, storage, use tax.—It is hereby declared to be the legislative intent that every person is exercising a taxable privilege who engages in the business of selling tangible personal property at retail in this state, or who rents or furnishes any of the things or services taxable under this chapter, or who stores for use or consumption in this state any item or article of tangible personal property as defined herein and who leases or rents such property within the state.

(1) For the exercise of such privilege, a tax is levied on each taxable transaction or incident, which tax is due and payable as follows:

(h) Any person who purchases, installs, rents, or leases a telephone system or telecommunication system for his own use to provide himself with telephone service or telecommunication service ~~which is wholly or partially independent of any local telephone system or any intrastate or interstate interexchange network~~ or which is a substitute for any telephone company switched service or a substitute for any dedicated facility by which a telephone company provides a communication path is exercising a taxable privilege and shall register with the Department of Revenue and pay into the State Treasury a yearly amount equal to 5 percent of the actual cost of operating such system, notwithstanding the provisions of s. 212.081(3)(b). "Actual cost" includes, but is not limited to, depreciation, interest, maintenance, repair, and other expenses directly attributable to

the operation of such system. For purposes of this paragraph, the depreciation expense to be included in actual cost shall be the depreciation expense claimed for federal income tax purposes. The total amount of any payment required by a lease or rental contract or agreement shall be included within the actual cost. The provisions of this paragraph do not apply to the use by any local telephone company or any telecommunication carrier of its own telephone system or telecommunication system to conduct a telecommunication service for hire or to the use of any radio system operated by any county or municipality or by the state or any political subdivision thereof. If a system described in this paragraph is located in more than one state, the actual cost of such system for purposes of this paragraph shall be the actual cost of the system's equipment located in Florida.

(i) *The tax imposed pursuant to paragraph (e) shall not exceed \$50,000 per calendar year on charges to any person for interstate telecommunications services defined in s. 203.012(4) and (7)(b), if the majority of such services used by such person are for communications originating outside of this state and terminating in this state. This exemption shall only be granted to holders of a direct pay permit issued pursuant to this subparagraph. No refunds shall be given for taxes paid prior to receiving a direct pay permit. Upon application, the department may issue a direct pay permit to the purchaser of telecommunications services authorizing such purchaser to pay tax on such services directly to the department. Any vendor furnishing telecommunications services to the holder of a valid direct pay permit shall be relieved of the obligation to collect and remit the tax on such service. Tax payments and returns pursuant to a direct pay permit shall be monthly. For purposes of this subparagraph, the term "person" shall be limited to a single legal entity and shall not be construed as meaning a group or combination of affiliated entities or entities controlled by one person or group of persons.*

Amendment 8—On page 10, strike all of lines 6 and 7 and insert:

Section 7. Paragraph (e) of subsection (1) of section 212.05, Florida Statutes, is amended to read:

Amendment 9—On page 11, line 12, before "private" insert: *interstate*

Amendment 10—On page 11, strike all of lines 15 and 16 and insert: *this paragraph. Interstate private communication services are taxable under this*

Amendment 11—On page 11, lines 27-31, on page 12, lines 1-31, and on page 13, lines 1-15, strike all of said lines

Amendment 12—On page 13, lines 20-31, and on page 14, lines 1-12, strike all of said lines and insert:

(4) *A municipality may by ordinance enter into an agreement with any person providing telecommunication services defined in s. 203.012(7) as a condition for granting permission to occupy or use any city street, alley, viaduct, elevated roadway, bridge or other public way. The agreement shall permit the telecommunication service provider to construct, operate, maintain, repair, rebuild, or replace a telecommunications route within a municipal right-of-way. The agreement shall provide for a fee or other consideration payable annually based on actual linear feet of any cable, fiber optic, or other pathway that makes physical use of the municipal right-of-way. The fee or other consideration imposed pursuant to this subsection shall not apply to any telecommunications service provider who provides telecommunications services as defined in s. 203.012(3).*

Amendment 13—On page 14, strike all of lines 13-16 and insert:

Section 8. This act shall take effect July 1, 1986, or upon becoming a law, whichever occurs later, except sections 4, 5, and 7 shall take effect January 1, 1987.

Amendment 14—In title, on page 1, line 4, strike "203.63,"

On motion by Senator Margolis, by two-thirds vote CS for SB 873 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

Beard	Crawford	Deratany	Fox
Castor	Crenshaw	Dunn	Frank

Gersten	Jennings	Margolis	Stuart
Girardeau	Johnson	McPherson	Thomas
Gordon	Kirkpatrick	Meek	Thurman
Grant	Kiser	Myers	Weinstein
Grizzle	Langley	Peterson	
Hair	Malchon	Plummer	
Hill	Mann	Scott	

Nays—1

Childers, D.

Vote after roll call:

Yea—W. D. Childers, Jenne, Neal

Committee Meeting Change

On motion by Senator Dunn, the rules were waived and the Committee on Judiciary-Civil was granted permission to meet at 1:00 p.m. in lieu of 2:00 p.m. as scheduled this day and time of adjournment was extended until completion of the tort reform package.

The President presiding

SB 154—A bill to be entitled An act relating to tax on sales, use, and other transactions; amending s. 212.05, F.S.; providing application to the sale of boats; providing for exemptions under specified circumstances; providing penalties; amending s. 212.06, F.S.; revising provisions relating to exemptions from use tax; providing conditions for exemption of boats from use tax; providing application of sales tax to sales of such boats; amending s. 212.085, F.S.; providing penalties for illegal claims for total or partial tax exemption; providing for rules; providing an effective date.

—was read the second time by title. On motion by Senator Crawford, by two-thirds vote SB 154 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Barron	Frank	Kirkpatrick	Myers
Beard	Gersten	Kiser	Peterson
Castor	Girardeau	Langley	Plummer
Childers, W. D.	Grizzle	Malchon	Scott
Crawford	Hill	Mann	Stuart
Crenshaw	Jenne	Margolis	Thurman
Deratany	Jennings	McPherson	Vogt
Fox	Johnson	Meek	Weinstein

Nays—4

Mr. President	Childers, D.	Gordon	Neal
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Vote after roll call:

Yea—Hair

On motions by Senator Castor—

HB 278—A bill to be entitled An act relating to elections; amending ss. 101.64 and 101.65, F.S.; deleting from a voter's certificate the requirements to designate party and precinct and to indicate a reason for voting an absentee ballot; amending s. 101.68, F.S.; changing the period in which absentee ballots may be canvassed and counted; changing certain canvassing procedures; amending s. 102.141, F.S.; authorizing alternative sites for meetings of county canvassing boards; providing for notice of meetings of the county canvassing board to canvass absentee ballots; providing an effective date.

—a companion measure, was substituted for SB 161 and by two-thirds vote read the second time by title. On motion by Senator Castor, by two-thirds vote HB 278 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Fox	Jennings	Meek
Beard	Frank	Johnson	Myers
Castor	Gersten	Kirkpatrick	Peterson
Childers, D.	Girardeau	Kiser	Plummer
Childers, W. D.	Gordon	Malchon	Scott
Crawford	Grant	Mann	Stuart
Crenshaw	Grizzle	Margolis	Vogt
Dunn	Hill	McPherson	Weinstein

Nays—1

Langley

Vote after roll call:

Yea—Hair, Jenne, Neal, Thomas

SB 161 was laid on the table.

On motions by Senator Castor, the rules were waived and by two-thirds vote SR 799 was withdrawn from the Committees on Education and Rules and Calendar.

Consideration of Resolutions

On motion by Senator Castor—

SR 799—A resolution commending Florida's postsecondary student leaders.

WHEREAS, Today's postsecondary student leaders will be numerous among those persons who guide the state and nation Tomorrow, and

WHEREAS, these students' academic and extracurricular achievements bring national recognition to our state, and

WHEREAS, in Florida, postsecondary student leaders play a significant role in the political process, and

WHEREAS, in particular, those students who actively engage in student publications responsibly and accurately communicate information to their campuses and communities, and

WHEREAS, postsecondary student leaders in this state effectively respond to the many challenges facing our state, and

WHEREAS, the Senate recognizes the importance of involvement by postsecondary students in student and community activities to the continued growth and welfare of our state, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate hereby commends the postsecondary student leaders of Florida for their participation in student activities, for their concern with public affairs, for their academic achievements, and, in general, for the excellence that they bring to postsecondary education.

—was taken up out of order by unanimous consent, read the second time in full and unanimously adopted.

Senator Castor introduced to the Senate John Sowinski, Executive Director, Florida Student Association, and Robert Wiggin, President, Florida Junior College Student Government Association. The President requested Senator Castor to escort the guests to the rostrum where they were presented copies of the resolution.

On motion by Senator Jenne, the rules were waived and by two-thirds vote SR 1187 was withdrawn from the Committee on Rules and Calendar.

On motion by Senator Jenne—

SR 1187—A resolution recognizing Watson B. Duncan, III, community college educator, for his exemplary teaching career.

WHEREAS, Watson B. Duncan, III, has served the state's community college system as a distinguished teacher and administrator in the Communications Department of Palm Beach Junior College for 37 years, and

WHEREAS, his educational philosophy is based on the belief that training hands without training hearts and souls is a dangerous thing and that a big part of the teacher's job is to train the hearts and souls of young people, and

WHEREAS, Mr. Duncan staunchly believes that a program of instruction in the liberal arts, including communications, drama, literature, art, and music, must be an integral part of the curriculum for all college students, and, in pursuit of that belief, he became the catalyst for the development of the widely acclaimed Palm Beach Junior College Theatre Program and Theatre major, and

WHEREAS, Mr. Duncan has spent many hours working through internal campus committees to establish tutorial programs for remedial students to improve their literacy, and

WHEREAS, Watson B. Duncan, III, views the entire community as his teaching domain and has organized a community book review series that is now in its 30th year, entitled "Adventures in Learning," which reaches out to students of all ages, patrons of libraries and art galleries, condominium dwellers, and members of civic organizations, clubs, and church groups, and

WHEREAS, Mr. Duncan is active in professional organizations, such as the Florida Association of Community Colleges and the South Atlantic Modern Language Association; has been a lecturer at the Shakespearean Institute at Stratford-on-Avon, England; and is a board member of the Burt Reynolds Institute of Theatre Training, and

WHEREAS, he has received numerous local, regional, state, national, and international awards, most recently being recognized by the Association of Community College Trustees as Outstanding Faculty Member in the nation, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That Watson B. Duncan, III, is hereby recognized and honored for his exemplary career in teaching and for his achievements that have had lasting consequences on the quality of life for many persons.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Watson B. Duncan, III, as a tangible token of the admiration and respect of the members of the Florida Senate.

—was taken up out of order by unanimous consent, read the second time in full and unanimously adopted.

Senator Jenne introduced to the Senate Mr. and Mrs. Watson B. Duncan, III. The President requested Senator Jenne to escort Mr. and Mrs. Duncan to the rostrum where they were presented a copy of the resolution.

SPECIAL ORDER, continued

SB 272—A bill to be entitled An act relating to the State Athletic Commission; amending s. 548.077, F.S.; creating the State Athletic Commission Trust Fund; providing for the collection and disposition of moneys in the fund; providing an appropriation; providing an effective date.

—was read the second time by title.

Senator Meek moved the following amendments which were adopted:

Amendment 1—On page 1, between lines 27 and 28, insert:

Section 3. Section 240.535, Florida Statutes, is created to read:

240.535 Intercollegiate athletics; Florida Intercollegiate Athletics Supplemental Funding Program.—

(1) The Florida Intercollegiate Athletics Supplemental Funding Program is hereby created to provide supplemental funding to support intercollegiate athletics at certain state universities. The program shall be administered by the Board of Regents. Moneys shall be distributed under the program to the state universities for use in strengthening their intercollegiate athletics programs.

(2) Any state university whose enrollment is less than 17,000 and which is not able to generate from alumni dues and contributions sufficient funding needed for athletic recruitment and salaries shall be eligible for a distribution from the fund. The Board of Regents shall establish, based on need, the amount awarded to an eligible state university.

Section 4. The Intercollegiate Athletics Funding Program shall be funded annually in the general appropriations act.

(Renumber subsequent sections.)

Amendment 2—In title, on page 1, strike all of lines 1-7 and insert: A bill to be entitled An act relating to athletics; amending s. 548.077, F.S.; creating the State Athletic Commission Trust Fund; providing for the collection and disposition of moneys in the fund; providing an appropriation; creating s. 240.534, F.S.; creating the Florida Intercollegiate Athletics Supplemental Funding Program; requiring the Board of Regents to administer the program; authorizing distribution of funds to certain state universities to be used in strengthening intercollegiate athletics; providing for an annual appropriation; providing an effective date.

On motion by Senator Gordon, by two-thirds vote SB 272 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Mr. President	Frank	Kirkpatrick	Peterson
Beard	Gersten	Kiser	Plummer
Childers, D.	Girardeau	Langley	Scott
Childers, W. D.	Gordon	Malchon	Thomas
Crawford	Grant	Mann	Thurman
Crenshaw	Grizzle	Margolis	Vogt
Deratany	Hill	McPherson	Weinstein
Dunn	Jennings	Meek	
Fox	Johnson	Myers	

Nays—None

Vote after roll call:

Yea—Hair, Jenne, Neal

CS for SB 510—A bill to be entitled An act relating to road contractors; amending s. 337.11, F.S.; requiring contracts let by the department to include provisions for registration of vehicles used by nonresident road contractors; defining nonresident road contractor; amending s. 337.141, F.S.; prohibiting payments by the department to such contractors who have not submitted proof of such registration; amending s. 337.16, F.S.; establishing the failure to register motor vehicles by such contractors as a ground for suspension of the contractors' certificates of qualification; providing an effective date.

—was read the second time by title.

Senator Grant moved the following amendments which were adopted:

Amendment 1—On page 4, between lines 4 and 5, insert:

Section 4. Subsection (7) of section 320.27, Florida Statutes, is amended to read:

320.27 Motor vehicle dealers.—

(7) **CERTIFICATE OF TITLE REQUIRED.**—For each used motor vehicle in the possession of a licensee and offered for sale by him, the licensee either shall have in his possession a duly assigned certificate of title from the owner in accordance with the provisions of chapter 319, from the time when the motor vehicle is delivered to him until it has been disposed of by him, or shall have made proper application for a certificate of title or duplicate certificate of title in accordance with the provisions of chapter 319. In order to facilitate the chain of ownership of a motor vehicle, all licensees transferring title to vehicles shall execute dealer reassignments. *A reassignment for the transfer of title made at a motor vehicle auction shall include the name and address of such auction. A motor vehicle auction is required to execute a dealer reassignment only if it is the actual owner of the vehicle sold.*

(Renumber subsequent section.)

Amendment 2—In title, on page 1, line 14, after the semicolon (;) insert: amending s. 320.27, F.S.; requiring dealer reassignments of motor vehicle titles transferred at motor vehicle auction to include the name and address of the auction;

On motion by Senator Grant, by two-thirds vote CS for SB 510 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Mr. President	Frank	Kirkpatrick	Peterson
Beard	Gersten	Kiser	Plummer
Childers, D.	Girardeau	Langley	Scott
Childers, W. D.	Gordon	Malchon	Thomas
Crawford	Grant	Mann	Thurman
Crenshaw	Grizzle	Margolis	Vogt
Deratany	Hill	McPherson	Weinstein
Dunn	Jennings	Meek	
Fox	Johnson	Myers	

Nays—None

Vote after roll call:

Yea—Hair, Jenne, Neal

Consideration of CS for SB 586 was deferred.

SB 579—A bill to be entitled An act relating to financial institutions; repealing section 3 of chapter 84-544, Laws of Florida, which provides an expiration date for provisions relating to the control of deposit-taking institutions; providing an effective date.

—was read the second time by title. On motion by Senator Hair, by two-thirds vote SB 579 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gersten	Johnson	Myers
Beard	Girardeau	Kirkpatrick	Peterson
Childers, D.	Gordon	Kiser	Plummer
Childers, W. D.	Grant	Langley	Scott
Crawford	Grizzle	Malchon	Stuart
Deratany	Hair	Mann	Thomas
Dunn	Hill	Margolis	Thurman
Fox	Jenne	McPherson	Vogt
Frank	Jennings	Meek	Weinstein

Nays—None

Vote after roll call:

Yea—Neal

SB 238—A bill to be entitled An act relating to group life insurance policies; amending s. 627.565, F.S.; requiring that an individual certificate issued under such a policy describe the person to whom the insurance benefits are payable by naming either the person insured or the policyholder; authorizing an individual certificate issued under an employee group life insurance policy to display, under certain conditions, the employer's name and the group contract number in lieu of including the name of the person insured and the person to whom benefits are payable; providing an effective date.

—was read the second time by title. On motion by Senator Hill, by two-thirds vote SB 238 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Frank	Johnson	Myers
Beard	Gersten	Kirkpatrick	Peterson
Childers, D.	Girardeau	Kiser	Plummer
Childers, W. D.	Gordon	Langley	Scott
Crawford	Grant	Malchon	Stuart
Crenshaw	Grizzle	Mann	Thomas
Deratany	Hair	Margolis	Thurman
Dunn	Hill	McPherson	Vogt
Fox	Jennings	Meek	Weinstein

Nays—None

Vote after roll call:

Yea—Jenne, Neal

On motion by Senator Hill, the rules were waived and SB 238 was ordered immediately certified to the House.

On motions by Senator Jennings, the rules were waived and by two-thirds vote HB 45 was withdrawn from the Committee on Judiciary-Criminal.

On motion by Senator Jennings—

HB 45—A bill to be entitled An act relating to offenses against children; providing a short title; amending s. 777.04, F.S., including certain acts relating to offenses involving children within the offense of criminal attempt; providing an effective date.

—a companion measure, was substituted for SB 40 and read the second time by title.

Senator Jennings moved the following amendments which were adopted:

Amendment 1—On page 1, strike line 26 and insert: *seduces, coaxes, or induces a child under the age of 12 to engage in an*

Amendment 2—In title, on page 1, line 5, after “children” insert: under the age of 12

On motion by Senator Jennings, by two-thirds vote HB 45 as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gersten	Kirkpatrick	Plummer
Beard	Girardeau	Kiser	Scott
Childers, D.	Gordon	Langley	Stuart
Childers, W. D.	Grant	Malchon	Thomas
Crawford	Grizzle	Mann	Thurman
Crenshaw	Hair	Margolis	Vogt
Deratany	Hill	McPherson	Weinstein
Dunn	Jenne	Meek	
Fox	Jennings	Myers	
Frank	Johnson	Peterson	

Nays—None

Vote after roll call:

Yea—Neal

SB 40 was laid on the table.

Consideration of SB 588 was deferred.

CS for SB 971—A bill to be entitled An act relating to public officers and employees; amending s. 112.3143, F.S.; requiring disclosure of conflicts of interest by appointed public officers; requiring appointing bodies to consider certain records prior to appointment; providing an effective date.

—was read the second time by title.

Senator Kiser moved the following amendment which was adopted:

Amendment 1—On page 1, strike all of lines 26-29 and insert:

(b) *No appointed public officer shall participate in any matter which inures to his special private gain or the special gain of any principal by whom he is retained, without first disclosing the nature of his interest in the matter. Such disclosure, indicating*

On motion by Senator Kiser, by two-thirds vote CS for SB 971 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Frank	Johnson	Myers
Beard	Gersten	Kirkpatrick	Peterson
Childers, D.	Girardeau	Kiser	Plummer
Childers, W. D.	Gordon	Langley	Scott
Crawford	Grant	Malchon	Stuart
Crenshaw	Grizzle	Mann	Thomas
Deratany	Hair	Margolis	Thurman
Dunn	Hill	McPherson	Vogt
Fox	Jennings	Meek	Weinstein

Nays—None

Vote after roll call:

Yea—Jenne, Neal

CS for CS for SB 325—A bill to be entitled An act relating to balloon mortgages; amending s. 697.05, F.S.; clarifying that the amount to be stated in the legend on the mortgage is the principal balance due at maturity; providing that the wording of the legend is to be substantially as provided; deleting provisions that conspicuous legend must be in type as large as the largest type used in the text of the instrument; revising provisions relating to automatic extension upon noncompliance by a mortgagee or a third party in trust for a mortgagee or creditor; granting the mortgagor the right to prepay a mortgage without penalty during a required extension period; eliminating the forfeiture-of-interest provision; revising and clarifying existing exemptions; providing exemption for mortgages with respect to transactions in which truth-in-lending statements are furnished; providing exemption for certain mortgages granted by purchasers to sellers of real property pursuant to written purchase and sale agreements; amending s. 697.10, F.S.; revising provisions relating to liability for error in a mortgage deed or note; providing an effective date.

—was read the second time by title. On motion by Senator Margolis, by two-thirds vote CS for CS for SB 325 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gersten	Kirkpatrick	Plummer
Beard	Girardeau	Kiser	Scott
Childers, D.	Gordon	Langley	Stuart
Childers, W. D.	Grant	Malchon	Thomas
Crawford	Grizzle	Mann	Thurman
Crenshaw	Hair	Margolis	Vogt
Deratany	Hill	McPherson	Weinstein
Dunn	Jenne	Meek	
Fox	Jennings	Myers	
Frank	Johnson	Peterson	

Nays—None

Vote after roll call:

Yea—Neal

On motion by Senator Margolis, the rules were waived and CS for CS for SB 325 was ordered immediately certified to the House.

SB 413—A bill to be entitled An act relating to traffic control; creating s. 316.1951, F.S.; prohibiting certain parking of motor vehicles for specified purposes; providing for notice; providing for rules; providing noncriminal penalties; providing an effective date.

—was read the second time by title.

The Committee on Transportation recommended the following amendments which were moved by Senator Plummer and adopted:

Amendment 1—On page 1, line 22, strike “at that location”

Amendment 2—On page 1, strike all of lines 27 and 28

Amendment 3—On page 2, line 2, after “thereto” insert: or on any private real property owned by another on which the owner’s permission has been obtained

Amendment 4—On page 2, line 25, after “violation” insert: of paragraph (a)

On motion by Senator Plummer, by two-thirds vote SB 413 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Mr. President	Frank	Johnson	Peterson
Beard	Girardeau	Kiser	Plummer
Childers, D.	Gordon	Langley	Scott
Childers, W. D.	Grant	Malchon	Stuart
Crawford	Grizzle	Mann	Thurman
Crenshaw	Hair	Margolis	Vogt
Deratany	Hill	McPherson	Weinstein
Dunn	Jenne	Meek	
Fox	Jennings	Myers	

Nays—1

Thomas

Vote after roll call:

Yea—Gersten, Kirkpatrick, Neal

SB 371—A bill to be entitled An act relating to mechanics’ liens; amending s. 713.135, F.S., requiring the authority issuing a building permit to provide the owner of the real property upon which improvements are to be constructed with a printed statement explaining the effect of the mechanics’ lien law; authorizing an increase in the maximum fee for furnishing copies of certain forms and statements with respect to the Florida Mechanics’ Lien Law; providing an effective date.

—was read the second time by title. On motion by Senator Vogt, by two-thirds vote SB 371 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Girardeau	Kiser	Plummer
Beard	Gordon	Langley	Scott
Childers, D.	Grant	Malchon	Stuart
Childers, W. D.	Grizzle	Mann	Thomas
Crenshaw	Hair	Margolis	Thurman
Deratany	Hill	McPherson	Vogt
Dunn	Jenne	Meek	Weinstein
Fox	Jennings	Myers	
Frank	Johnson	Peterson	

Nays—None

Vote after roll call:

Yea—Gersten, Kirkpatrick, Neal

SB 113—A bill to be entitled An act relating to postsecondary education; amending s. 240.404, F.S.; providing a residency requirement for student eligibility for specified state financial aid programs; providing an effective date.

—was read the second time by title.

The Committee on Education recommended the following amendment which was moved by Senator Peterson and adopted:

Amendment 1—On page 1, line 30, strike “2” and insert: 1 2

On motion by Senator Peterson, by two-thirds vote SB 113 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fox	Jennings	Myers
Beard	Frank	Johnson	Peterson
Castor	Girardeau	Kiser	Plummer
Childers, D.	Gordon	Langley	Scott
Childers, W. D.	Grant	Malchon	Stuart
Crawford	Grizzle	Mann	Thomas
Crenshaw	Hair	Margolis	Thurman
Deratany	Hill	McPherson	Vogt
Dunn	Jenne	Meek	Weinstein

Nays—None

Vote after roll call:

Yea—Gersten, Kirkpatrick, Neal

CS for SB 215—A bill to be entitled An act relating to education; amending s. 232.246, F.S.; requiring school districts to modify courses and programs to meet graduation requirements for exceptional students; providing an effective date.

—was read the second time by title. On motion by Senator Peterson, by two-thirds vote CS for SB 215 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fox	Johnson	Myers
Beard	Frank	Kirkpatrick	Peterson
Castor	Gersten	Kiser	Plummer
Childers, D.	Girardeau	Langley	Scott
Childers, W. D.	Gordon	Malchon	Stuart
Crawford	Grant	Mann	Thomas
Crenshaw	Grizzle	Margolis	Thurman
Deratany	Hill	McPherson	Vogt
Dunn	Jennings	Meek	Weinstein

Nays—None

Vote after roll call:

Yea—Hair, Jenne, Neal

CS for SB 260—A bill to be entitled An act relating to cosmetology; amending s. 477.013, F.S.; defining manicuring, pedicuring, facials, and nail sculpturing; redefining shampooing; defining aesthetician and nail sculpturist; deleting definitions of specialists, and specialty; redefining specialty salon; amending s. 477.0135, F.S.; providing certain exemptions

from licensure; creating s. 477.0195, F.S.; providing registration for aestheticians and nail sculpturists; providing qualifications for registration; providing for renewal of registration; amending s. 477.025, F.S., permitting mobile cosmetology salons; amending s. 477.026, F.S., providing fees; creating s. 477.0262, F.S.; providing for refund of fees; providing appropriation; amending s. 477.0265, F.S.; providing certain prohibited acts for aestheticians and nail sculpturists; deleting specialists; amending s. 477.028, F.S.; providing disciplinary proceedings for cosmetologists, aestheticians, and nail sculpturists; deleting references to specialists; amending s. 477.029, F.S.; providing penalties; amending s. 476.044, F.S.; providing exemption from licensure as a barber for persons practicing manicuring, pedicuring, and shampooing; repealing s. 477.0201, F.S.; removing provisions for licensure of specialists; providing an effective date.

—was read the second time by title. On motion by Senator Frank, by two-thirds vote CS for SB 260 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Frank	Kirkpatrick	Plummer
Beard	Gersten	Kiser	Scott
Castor	Girardeau	Langley	Stuart
Childers, D.	Gordon	Malchon	Thomas
Childers, W. D.	Grant	Mann	Thurman
Crawford	Grizzle	Margolis	Vogt
Crenshaw	Hill	McPherson	Weinstein
Deratany	Jenne	Meek	
Dunn	Jennings	Myers	
Fox	Johnson	Peterson	

Nays—None

Vote after roll call:

Yea—Hair, Neal

Senator McPherson presiding

SB 327—A bill to be entitled An act relating to cruelty to animals; amending s. 828.122, F.S., expanding the definition of “animal” in provisions which prohibit the fighting or baiting of animals, to include every living dumb creature; providing an effective date.

—was read the second time by title.

Senator Kirkpatrick moved the following amendment which was adopted:

Amendment 1—On page 2, between lines 7 and 8, insert:

Section 3. Nothing in s. 828.122, Florida Statutes, shall be construed to prohibit, impede or otherwise interfere with recognized animal husbandry and training techniques or practices not otherwise specifically prohibited by law.

(Renumber subsequent section.)

Senator Grant moved the following amendment which failed:

Amendment 2—On page 1, line 20, after “live animals” insert: other than jackrabbits

Senator Kirkpatrick moved the following amendment which was adopted:

Amendment 3—In title, on page 1, line 6, after the semicolon (;) insert: providing exceptions;

On motion by Senator Beard, by two-thirds vote SB 327 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—31

Beard	Gersten	Kiser	Peterson
Castor	Girardeau	Langley	Plummer
Childers, D.	Gordon	Malchon	Stuart
Childers, W. D.	Grizzle	Mann	Thomas
Crawford	Hill	Margolis	Thurman
Crenshaw	Jennings	McPherson	Vogt
Dunn	Johnson	Meek	Weinstein
Frank	Kirkpatrick	Myers	

Nays—2

Barron Grant

Vote after roll call:

Yea—Hair, Jenne, Neal

Consideration of SB 498 was deferred.

SB 570—A bill to be entitled An act relating to verification of documents; creating s. 92.525, F.S.; providing methods for verifying documents; providing that knowingly verifying a document by a false written declaration is unlawful; providing penalties; providing an effective date.

—was read the second time by title. On motion by Senator Dunn, by two-thirds vote SB 570 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33

Barron	Frank	Kiser	Plummer
Beard	Gersten	Langley	Scott
Castor	Girardeau	Malchon	Stuart
Childers, D.	Grant	Mann	Thomas
Childers, W. D.	Grizzle	Margolis	Thurman
Crawford	Hill	McPherson	Weinstein
Crenshaw	Jennings	Meek	
Dunn	Johnson	Myers	
Fox	Kirkpatrick	Peterson	

Nays—None

Vote after roll call:

Yea—Gordon, Hair, Neal

On motion by Senator Dunn, the rules were waived and the Senate reverted to—

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Dunn, the rules were waived and the Committee on Judiciary-Civil was granted permission to consider SJR 304 this day.

On motions by Senator Thomas, the rules were waived and by two-thirds vote CS for SB 369 was withdrawn from the Committee on Rules and Calendar; SB 460 and CS for SB 1004 were withdrawn from the Com-

mittee on Personnel, Retirement and Collective Bargaining; CS for SB 655 was withdrawn from the Committee on Governmental Operations; CS for SB 791 was withdrawn from the Committee on Commerce; CS for SB 1030 was withdrawn from the Committee on Finance, Taxation and Claims; and CS for SB 1045 was withdrawn from the Committee on Education.

ENROLLING REPORTS

SB 8, CS for SB 56 and CS for SB 66 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 9, 1986.

SB 170 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 12, 1986.

SCR 961 has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on May 12, 1986.

Joe Brown, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 8 was corrected and approved.

CO-INTRODUCERS

Senator Castor—CS for SB 58, SB 210, SB 1074; Senator Dunn—CS for SB 58; Senator Grant—CS for SB 109; Senator Weinstein—SB 144; Senator Malchon—SB 172; Senator Thurman—SB 246; Senator Crenshaw—SB 273; Senators Jennings and Beard—SB 460; Senator W. D. Childers—Senate Bills 620, 629; Senators Gersten and Gordon—SB 1074

RECESS

On motion by Senator Thomas, the Senate recessed at 12:01 p.m. to reconvene at 9:00 a.m., Wednesday, May 14.

SENATE PAGES

May 12 - 16

Brian Alexander, Tampa; Pablo Cejas, Bal Harbour; Robert DiCarlo, Tampa; Patrick Enfinger, Tallahassee; Rebecca Finlayson, Gainesville; Steven Foster, Green Cove Springs; Mary Gallen, Bradenton; Kim Galbut, Miami; Matthew Geiger, Gainesville; David Groover, Kissimmee; G. W. Jett Johnson, Tallahassee; Meridith F. Johnston, Lake Worth; Kimberly Hartsell, Jacksonville; James Mathew Pfleger, Coral Gables; Amy Michele Presnell, Tallahassee; Stephanie Shulman, Boca Raton; Anne Sweeney, Ormond Beach; H. Christopher Tompkins, Riverview; Linda Susan Willis, Winter Park; Terri Yohn, New Port Richey